Form MICOG - 299
(19 Sept 50)

LEGISLATION GOVERNING CONTROL OF ENTRY TO BERLIN

275/I

FILE SEPARATOR

English Text Attached

2

COMBINED TRAVEL BOARD

OFFICE TRIPARTITE DE LA CIRCULATION

British Address
Herford
B.A.O.R. 15.

U.S. Address
Herford
A.P.O. 757, US Army

French Address
S.P. 51084
B.P.M. 515

Tel: Herford 2941, Ext.64

OTC/CTB/CAB/Memo(50)7

2 Mars 1950

DESTINATAIRE : Secrétaire en Exercice de la Kommandatura Alliée

OBJET : Transfert aux Autorités Allemandes d'attributions en matière de Circulation - Problèmes particuliers à la ville de BERLIN.

I.- Il doit être procédé, dans un avenir prochain, à un transfert progressif aux Autorités Allemandes, de certaines attributions en matière de circulation. La compétence des Administrations Fédérales Allemandes appelées à bénéficier de ce transfert ne s'étendant pas à la ville de BERLIN, les procédures applicables dans cette ville doivent faire l'objet de dispositions particulières.

2.- La question se pose notamment du statut futur des fonctionnaires Allemands jusqu'ici recrutés par le Gouvernement Militaire Britannique soit pour exercer, sous la supervision de l'Office Tripartite de la Circulation, le contrôle de l'immigration à l'aérodrome de GATOW, soit pour être employés par le Bureau de Permis de Berlin. Ces inspecteurs ne pouvant être rattachés à une administration de la République Fédérale Allemande, il semble que la solution la plus opportune en ce qui les concerne serait de les grouper en un service indépendant administré par le "Magistrat".

3.- Il convient d'autre part, d'envisager les dispositions qui devront être prises à BERLIN en matière de délivrance de passeports lorsque cette délivrance sera dévolue aux Autorités Fédérales Allemandes.

Deux solutions pourraient être adoptées :

a/ L'Office Tripartite de la Circulation, par l'intermédiaire de son Bureau de Permis de Berlin, pourrait continuer à délivrer les titres temporaires de circulation actuellement en vigueur.

b/ Il pourrait être envisagé la création d'un passeport spécial à délivrer :

- soit par la Kommandatura Alliée,

- soit par le Magistrat.

..../....

4.- L'Office Tripartite de la Circulation souhaiterait connaître le sentiment de la Kommandatura Alliée sur ces deux questions avant de soumettre une proposition définitive au Comité des Affaires Politiques.

Pour le Président/Directeur Général de
l'Office Tripartite de la Circulation

Le Chef de Cabinet

3

Texte francais joint

COMBINED TRAVEL BOARD

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B.A.O.R. 15	A.P.O. 757, U.S. Army	B.P.M. 515

Tel: Herford 2941, Ext.64

OTC/CTB/CAB/Memo(50)7

2nd March, 1950

To: The Duty Secretary,
Allied Kommandatura,
BERLIN

Subject: Transfer of functions in connection with travel, to the German Authorities - Problems peculiar to the city of BERLIN

1. In the near future a progressive transfer of certain functions in connection with travel to the German Authorities will be initiated. Since the competence of the German Federal Authorities who will benefit from this transfer does not extend to the city of Berlin, the procedure applicable to that city must be the subject of special measures.

2. In particular, the question arises of the future status of the German officials who exercise control of travel under the supervision of the Combined Travel Board, at Gatow airport or who are employed by the Combined Travel Board Branch Office in Berlin. Until the present these officials have been recruited by the British Military Government. Since these officials cannot be attached to a Ministry of the German Federal Republic, it would seem that the best solution would be to group them in an independent service administered by the Magistrat.

3. It is also necessary to consider the steps which will have to be taken in Berlin regarding the issue of passports when this function has been transferred to the German Federal Authorities.

Two solutions might be adopted:-

(a) The Combined Travel Board could continue to issue the Temporary Travel Documents now in force, through its Permit Office in Berlin,

(b) A special passport might be prepared which could be delivered :

- either by the Allied Kommandatura,

- or by the Magistrat.

4. The Combined Travel Board would be grateful to know the views of the Allied Kommandatura on these two points before submitting a final proposal to the Political Affairs Committee.

FOR THE COMBINED TRAVEL BOARD

Secretary to the Board

Doc/Bx

5

COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

BRITISH ADDRESS:
BERLIN
BAOR 2

US ADDRESS:
HICOG BERLIN
APO 742 US ARMY

FRENCH ADDRESS:
S.P. 50.307
B.P. M. 600

CTB/BLN/ 226/1/C

Tele.: 86 45 80

6th April, 1950

TO: Internal Affairs Directorate
Combined Travel Board
HERFORD, B.A.O.R. 15
Attention Mr. ERDOES

SUBJECT: Provision of Legislation in Berlin to enforce conditions of Entry Permits.

On 29th March 1950 the undersigned attended an informal discussion with the Legal Officer to British Military Government, the Assistant Inspector-General of Public Safety, British Sector, and the British Consul General in Berlin regarding the absence of any proper legislation to enforce the conditions of Entry Permits.

2. The Legal Officer agreed that legislation was necessary and that a law similar to Ordinance 161 should be promulgated by the Kommandatura for Western Berlin as a whole. The proposed law would cover persons remaining in Berlin after expiry of Entry-Permits. It was decided that persons entering Germany without an Entry Permit should be referred to the German Courts for prosecution under existing German Law.

I don't agree

3. On 31st March 1950 the undersigned was invited to attend a further meeting on the subject of travel control at Berlin Airports. A copy of the findings is attached. Any developments in the future will be reported.

FOR THE COMBINED TRAVEL BOARD:

H.W. STURDY
Branch Office Deputy Chief

Encl: Minute

Copy to 605

Floater

Tele: 86 5511

INTER-OFFICE MEMORANDUM

From: Public Safety To: DDMG

17/14/03/1

31 March 50

NOTE OF MEETING IN LANCASTER HOUSE - 31ST MARCH, 1950.

SUBJECT: Customs and Document Control at Berlin Airports.

PRESENT:

Mr. J. A. CHAMBERS, AIG, Public Safety (CHAIRMAN)
Mr. S. J. HENRY, Legal Adviser
Lt. Col. J. COURTIS (Retd.), Financial Adviser
Mr. E. J. R. GEORGES, Civil Admin
Mr. W. H. O. WATSON, Combined Travel Board (Herford)
Mr. H. W. STURDY, Combined Travel Board (Berlin)

Mr. WATSON had been asked to come to Berlin in order to discuss the position at present pertaining at Gatow Airport.

The relationship of High Commission or Zonal Laws and Ordinances to Berlin was carefully explained.

IT WAS AGREED that it was desirable to control persons and goods arriving at or leaving from Western Berlin Airports from or to countries outside the international frontiers of Germany.

IT WAS FURTHER AGREED that the controls should be similar in each of the three Western Sectors.

IT WAS AGREED that British Sector Military Government Ordinance No. 73, dealin with import and export of goods, adequately covered the subject and that it would b desirable that it be adopted tripartitely.

IT WAS FURTHER AGREED that an Ordinance be promulgated on a tripartite basis to control the documentation of persons arriving directly from countries outside Germany by air, or leaving Berlin by air for a country outside Germany.

IT WAS AGREED to suggest that a tripartite working party should consider this subject.

Jas. A. Chambers

(J. A. CHAMBERS)
Chairman

Tele: 86 5511

Pol/Bc

11

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CTB/BLN/ 226/1/C

Tele.: 86 45 80

14th April 1950

TO: Internal Affairs Directorate
Combined Travel Board
HERFORD, B.A.O.R. 15
Attention Mr. ERDOES

SUBJECT: Provision of Legislation in Berlin
to enforce conditions of Entry Permits. see folio 5 → AL 3498

Further to my report dated 6th inst. please find enclosed a copy of the Draft Law for Berlin proposed by the Allied Kommandatura.

FOR THE COMBINED TRAVEL BOARD:

H.W. STURDY
Branch Office Deputy Chief

Encl:
Draft Law

Mr. Olivier-Martin -
Your comments please - 26 Apr 50
Sutton

Mr Ruby - Je pense qu'il y a lieu d'attendre que la question soit résolue pour le territoire fédéral avant de répondre à Berlin. Je ne partage pas, par ailleurs, les vues du Conseiller Juridique britannique exprimées à la réunion à laquelle Mr Watson a participé

OM
26/4

Mr Sedgley - Your comments please.
I think this draft is a good one, but I don't agree with comment 5-(2) - 5-5-50

one spare copy of this draft held on policy files
AA.

Copy to 605

Floater

6-5. This draft have been signed yesterday in Berlin.

power to order unilaterally the expulsion from [illegible] German national whose expulsion is, in his opinion, required in the interest of public order, prestige or security. In each case he shall forthwith inform the other Commandants sitting in the Allied Kommandatura of his action.

Came into force 8/5/50

ALLIED KOMMANDATURA BERLIN

Law No. .....

CONTROL OF PERSONS ENTERING GREATER BERLIN AND EXPULSION OF UNDESIRABLE PERSONS

The Allied Kommandatura enacts as follows:

ARTICLE I

No person shall enter or remain in Greater Berlin after the authorisation under which he entered or remained in Germany has expired or has been revoked or cancelled, or if the terms of the authorization are such as to cover a stay only in specified circumstances, when those circumstances have ceased to exist.

ARTICLE II

No member of an airflight crew who has been permitted to land within Greater Berlin shall remain there after his airplane has left Greater Berlin, unless he has obtained written permission to do so from a duly authorized official.

ARTICLE III

The Allied Kommandatura or any authority designated by it for this purpose may order any German national not ordinarily resident in Greater Berlin or any person not a German national to be expelled from Greater Berlin either permanently or for such period as may be prescribed if:

(a) he has entered or remained in Greater Berlin in contravention of Articeles I and II hereof;

(b) he is convicted of an offence by an Occupation Court; or

(c) his presence is liable to endanger the maintenance of public order or the prestige or security of the Allied Forces.

ARTICLE IV

The Commandant of each Sector of Berlin concerned shall have the power to order unilaterally the expulsion from his area of control of any non-German national whose expulsion is, in his opinion, required in the interest of public order, prestige or security. In each case he shall forthwith inform the other Commandants sitting in the Allied Kommandatura of his action.

Came into force 8/5/50

ARTICLE V

1. Any person not already in lawful custody may, if notice is served upon him of intention to apply for an order of expulsion under Articles III or IV hereof, be arrested and detained in custody for a period not exceeding three days pending a decision upon such application, provided that, if it is not practicable to issue an order under Articles III or IV hereof within that period, such period may be extended to 10 days by an order in writing by the authority designated under Article III hereof, or any member thereof.

2. Any person against whom an order of expulsion has been issued, pursuant to Articles III or IV hereof, may be

(i) taken into custody

(ii) removed in custody from Greater Berlin or the Sector, as the case may be, and

(iii) pending his departure held in custody.

ARTICLE VI

1. Any person who violates or attempts to violate, or participates in the violation of, any provision of Articles I or II of this Law, or any Regulation made pursuant thereto, shall, upon conviction be liable to a term of imprisonment not exceeding two years, or to a fine not exceeding 4,000 DM, or to both such imprisonment and fine.

2. Any person who violates any other provision of this Law or any Order made thereunder shall, upon conviction, be liable to a term of imprisonment not exceeding five years, or to a fine not exceeding 10,000 DM, or to both such imprisonment and fine.

ARTICLE VII

The following legislation is hereby re-ealed:

United States Military Government Ordinance No. 29 - Expulsion of Undesirable Germans;

United States Military Government Ordinance No. 30 - Expulsion of Undesirable Non-Germans;

British Military Government Ordinance No. 64 - Deportation.

However, orders of expulsion or deportation made under the legislation so

repealed shall remain in full force and effect.

ARTICLE VIII

This Law shall apply inter alios to all members of the Allied Forces as defined in Allied Kommandatura Law No. 2

ARTICLE IX

This Law shall become effective on 1950

Done at

The Allied Kommandatura Berlin, on 1950

_____ _____ _____

ALLIED KOMMANDATURA BERLIN

REGULATION NO. 1

Implementing Law No. ..... - Control of Persons entering Greater Berlin and Expulsion of Undesirable Persons

The Allied Kommandatura issues the following regulations:-

ARTICLE I

Pursuant to the provisions of Artic;e III of Law No. there is hereby established a Board for the Expulsion of Undesirable Persons (hereinafter referred to as "Expulsion Board"). The members of the Board shall be appointed by the Allied Kommandatura.

ARTICLE II

The functions of the Expulsion Board are to examine and to adjudicate upon all requests for expulsion submitted to it and where the Expulsion Board so decides to issue orders of expulsion either temporary or permanent. In the event of disagreement the question in dispute shall be referred to the Allied Kommandatura for decision.

ARTICLE III

Requests for expulsion shall be submitted to the Expulsion Board by a Sector Commandant or a person exercising power on his behalf.

ARTICLE IV

In the event that the German Authorities wish to expel a person as being liable to endanger the maintenance of public order, they will make necessary recommendations to the appropriate Sector Commandant through the Magistrat substantiated by evidence of conviction within German Courts or other evidence of criminal activity. The recommendations of the German Authorities will be forwarded by the Sector Commandant to the Expulsion Board for their consideration.

ARTICLE V

Expulsion ordered under Law No. and this Regulation shall be effected by whichever Commandant appears to the Expulsion Board (or the Allied

Kommandatura, as the case may be) to be most appropriate in each case.

ARTICLE VI

The Expulsion Board shall make its own rules of procedure. Such rules shall provide for any person against whom an order of expulsion has been made to appeal to the Expulsion Board, but his expulsion can take place if the Expulsion Board (or the Allied Kommandatura, as the case may be) thinks fit before his appeal is considered.

ARTICLE VII

The Commandant of a Sector may order the expulsion from Greater Berlin of any non-German national present in his Sector who is a national of the power by which that Sector Commandant was appointed.

ARTICLE VIII

This Regulation shall become effective on 1950.

Done at

The Allied Kommandatura Berlin, on 1950.

(12)

COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

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B.A.O.R. 15.	A.P.O. 757, U.S. Army	B.P.M. 515

CTB/ 275/1

Tel : Herford 2941, Ext. 79

8th May, 1950

To: M. Ruby

Mr. F. Sedgley

Ref. 11.

1. I think you will need to satisfy yourself that other legislation in connection with Berlin already exists for the purpose of controlling normal exit travel (i.e. other than through expulsion) and transit travel and that if it does, it will not be revoked under this or any other legislation. You will note that the draft under review refers only to entry travel and control of persons after they have entered Greater Berlin (including their expulsion).

2. I have always considered it debatable whether a German can be expelled from German soil, but the legal "pundits" have presumably considered it to be legally sound and it is not for a mere "layman" to argue.

3. However, the point I make in paragraph 1 is important. I notice that the draft has already been signed. The paper was, however, only received by me today.

Berlin

M. Netherwood

(15)

(14)

19th April, 1950

I cannot agree with the opinion of your Legal Adviser in Berlin. Quadripartite agreements decided and signed by the Control Council are good enough for me as legal background!

M. Esdoes is of the same opinion. Law n°. 10 makes also provision for expulsion of German nationals from Germany.

May you pass that to Passport Control Directorate with any other comments you may wish to offer.

M. Ruby will also be interested in this question

CM

19/4

M. Ruby,
This seems to be a purely legal question, which calls for an official ruling. Perhaps you will be good enough to reply to Passport Control Directorate? CM 20.4.50

or information generally,
as noted below:

te ✓

by the Directorate
Airport Control

CHENARD and Brig. MORRIS

ney can be obtained

W.H.O. Watson
for Director
Passport Control Directorate

to or from foreign. Further, the ordinance refers only to the British Sector.

/(b) .....

(14)

CTE/1006/4 19th April, 1950

INTER - OFFICE MEMORANDUM

From:- Passport Control Directorate

To :- Distribution

The attached report is circulated for information generally, and for any necessary action specifically, as noted below:

Director Internal Affairs Directorate
- paras. A.2(c) and A.10(iii) ✓

Mr. HANNEY
M. KERGALL
Mr. FALCONER
} For consideration by the Directorate Working Party on Airport Control

Secretariat (3) - for M. DIJON, Mr. CHENARD and Brig. MORRIS

Mr. GUILD - information

Should further copies be required they can be obtained from the undersigned.

W.H.O. Watson
for Director
Passport Control Directorate

to or from Foreign. Further, the ordinance refers only to the British Sector.

/(b) .....

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Tel: Herford 2941, Ext. 66

CTB/ 1006/4

4th April, 1950

To: Mr. F. Sedgley

From: Mr. W.H.O. Watson

As arranged, I visited Berlin on 31st March. During the morning, I attended the meeting arranged by A.I.G. Public Safety, Berlin, and during the afternoon, I visited Tempelhof Airfield.

A. 1. The meeting in the morning took place at Lancaster House with the

A.I.G. Public Safety (Chairman)
Mr. Henry Legal Adviser
Mr. George Civil Administration Section
A representative of the Fin. Adviser's Office
Mr. Sturdy and myself.

The A.I.G. suggested at the last moment that it might be of use if Mr. Sturdy were present, in case any question arose, on which his familiarity with the Berlin set-up might be of use. I agreed to this.

2. The A.I.G. opened the meeting by saying that its purpose was purely exploratory. The Berlin representatives wished to hear my explanantion as to what passport control is necessary, and why. In turn, the Berlin representatives would give their views as to legal practicability, political desirability etc. The A.I.G. said that he had received both our papers 1006/4 of 31st January 50 (folio 39/48) and CTB/CAB/Memo (50)7 of 2nd March 50 (the Board's letter to Allied Kommandatura). These papers had been referred to Public Safety, Legal and Civil Administration for study. As it appeared to all concerned in Berlin that both papers were, to some extent, based on misconceptions of the true Berlin position, the A.I.G. asked me to attempt to clear my mind on this position my considering first of all certain fundamental considerations which he expounded. These were -

(a) Zonal Ordinances, Laws or other forms of occupational legislation per se do not, and have never, applied to the British Sector of Berlin. Where it is found necessary and expedient, however, the British Sector Mil. Gov. can, and has in the past, enacted parallel regulations. The description "parallel" nevertheless does not mean exactly similar; in many cases, B.Z. legislation has been adapted to meet the special case of the Western Sectors of Berlin. Thus British Sector Berlin Ordinance 73, though based on British Zone Ordinance 73, refers in the British Sector Berlin form, solely to imports and exports by air directly to or from foreign. Further, the ordinance refers only to the British Sector.

/(b) .....

(b) So far as we are concerned, the effect of (a) above is that Mil Gov. Law 161, Mil. Gov. Ordinance 161 and Mil. Gov. Ordinance 156 do not apply in any Western Sector of Berlin, nor have they ever applied there. The A.I.G. said that, in any case, Mil. Gov. Law 161 referred solely to international frontiers. I pointed out at this stage that, in the case of an aircraft arriving Gatow direct from foreign, then Gatow airfield was an international frontier. The Legal Adviser agreed with me, subject to the fact that the plane was direct from foreign and had not touched down in the Federal Republic before arriving at Gatow. This led the A.I.G. to his third point.

(c) There is no legal restriction on movement within Germany, and legally anyone in Germany could not be prosecuted for moving to another part of the country.

There was considerable discussion on this point. I referred to the Quadripartite Agreement on Interzonal Passes and the fact that such passes were still a necessity to cross the Russian/Western Germany Interzonal Boundary whether by land or by air. The Legal Adviser, however, maintained his view that though an Interzonal Pass permitted movement and was a convenient way of showing that, from the occupational point of view, such movement had its concurrence, legally no action could be taken against a person who proceeded across the interzonal boundary without one. Certain practical difficulties could be put in his way, such as the withholding of a residence permit in the Zone entered, but such action would be based legally on grounds other than that the person crossed from one Zone to another. In Mr. Henry's view, no action having legal basis could be taken against a person who crossed the boundary without an intersonal pass.

I then referred to the fact that, at Gatow and at the authorised Zonal boundary crossing places, P.K.D. (Gatow) and Z.G.D./F.I.S. were controlling interzonal traffic and that I presumed that persons not in possession of passes were refused permission to proceed. A similar position existed on the U.S./Russian Zone border. The Legal Adviser said, however, that control of the boundary was a political expediency which had grown stricter as the political position between East and West had deteriorated and the fact remained that there was no legal basis for prohibiting the movement from the Eastern Zone to the Western Zones. The A.I.G. remarked on the considerable number of persons who daily crossed the boundary without documentation and who were, nevertheless, allowed to remain in the Western Zones. If the position were such that a resident in the Western Sector could not leave the city without an interzonal pass, then logically the movement of persons from the Western Sectors to the Russian Sector, and vice versa, should be completely controlled - and obviously impossible task.

As our time was limited, and realising the complexity of the situation, I said I would discuss this question on my return to Herford.

(d) The Chairman asked me to keep in mind the fact that three elements were represented in the Occupation Authority present in the Western Sectors of Berlin, and that though any one of these elements might propose particular policies or legislation, it was quite possible that one, or both, of the remaining elements would find themselves unable to agree to such proposals. The Financial representative present at the meeting said that, in respect of the subject under discussion, any control imposed, whether of documenation or customs, must be applied in exactly the same manner tripartitely in Western Berlin. I gave absolute support to this suggestion.

/(e).....

(e) Finally, the Chairman said that he considered that our action in introducing the P.K.D. into Gatow and allowing them to commence control duties there, without prior information to the G.O.C. Berlin as to our intention, had been mistaken. He thought, however, that this had been done in ignorance of the administrative channels peculiar to the British Sector of Berlin.

3. I therefore requested the Chairman's permission, at this stage, to make a statement.

(i) I explained when, how and under what circumstances a passport control had been instituted at Gatow Airfield and why, when it had become clear that the Zollgrenzdienst personnel must be withdrawn, the P.K.D. personnel had been introduced to maintain passport control. I stressed that no discourtesy had been intended to the G.O.C. Berlin or any of his staff and that any apparently arbitrary action on our part was due to an imperfect knowledge of the position of the Berlin Occupation Administration, based on the information and advice we had received on the question. I referred to the fact that Brigadier Morris and M. Olivier-Martin had recently visited Berlin, and as a result of their visit and discussions with British, French and U.S. Advisers in the city, the Board's letter C°B/CAB/Memo (50)7 had been addressed to the Allied Kommandatura, Berlin.

(ii) As the Chairman had raised the question as to why any passport control was necessary at Gatow, I suggested the following reasons:-

(a) Security both of the Western Sectors, Berlin, and of the Allied officials stationed there by refusing entry/exit to undesirable persons.
(b) Preservation of the dignity etc. of Allied officials travelling to and from Gatow.
(c) Two offices of the C.T.B. are located in the Western Sectors, charged with the issuance or prolongation of the necessary travel documentation. It is of the first importance to control the use of such documentation insofar as travel by air is concerned. The T.R.L. and I.C.L. applied equally to the Western Sectors Berlin as to the Federal Republic.
(d) The overall need of such control, having regard to (a), (b) and (c) above to furnish to a central recording department, or other agencies who might be interested in movement of particular travellers etc., full and exact information and records.

(iii) Having regard to the fact that the British Occupation Force in the Federal Republic and the British Sector of Berlin had common requirements in the matter of movement of travellers (and this principle applies equally, tripartitely) and recognising that, in view of the special position of the Western Sectors of Berlin, the Occupation Authority in those Sectors must make, and employ, their own administrative arrangements, the paramount need was for the Berlin Occupation Authorities to retain complete control over the entry into, or departure from, the Western Sectors of Berlin, by air. In order to achieve the common purpose, this control should be based on that imposed in the Federal Republic and the legal basis, therefore, if lacking so far as the Western Sectors of Berlin were concerned, should be promulgated without delay.

4. As a result of the discussion on my statement, I think I successfully established the following points:-

(i) That so far as direct international air traffic was concerned, passport control is essential. This point was established beyond doubt.

/ (ii) .....

(ii) That C.T.B., or its individual representatives, were not attempting to by-pass the competent British administrative authorities in the British Sector of Berlin. I am quite sure that I repaired any feeling that may have existed in this direction.

(iii) I am not so sure that the Chairman or the Legal Adviser accepted, in toto, my view that a control of interzonal documents was necessary at Gatow. As against their implied view that, if the Federal Republic authorities considered it necessary, any such control was the responsibility of the controls at Federal Republic Airfields where such planes landed, I stressed the possibility of unscheduled or force-landed aircraft which might escape control by the Federal Republic Passport Control authorities or arrive at Gatow, in such circumstances, direct from foreign. In particular, the Chairman was disposed to regard such possibilities as remote whilst the Legal Adviser was primarily concerned with the legal basis of control of persons moving within the boundaries of Germany.

5. The Chairman informed me that administrative procedure in the Western Sectors of Berlin is similar to that in the High Commission. He gave me to understand that, as a result of direction from the Allied Kommandatura, the Berlin tripartite Public Safety Sub-Committee would consider the question of control of travel by air into and out of the Western Sectors of Berlin. He felt that the discussion of the meeting had been useful to him in approaching the meeting of the Sub-Committee and hoped that the position in Berlin would be clearer to the C.T.B. as a result of my visit.

6. The Legal Adviser informed me that, as a result of this present discussion, he would encourage his U.S. and French counterparts to issue suitable passport regulations to control persons arriving/departing Western Sectors of Berlin direct from foreign. I repeated my view concerning interzonals travellers.

7. The recommendations of these Sub-Committees, so far as passport control is concerned, will be forwarded, through normal Western Sector Berlin Administrative channels, to the Allied Kommandatura for their consideration.

8. Finally, in view of the complexity of the position, I suggested to the Chairman that it would, in my view, be necessary to call a tripartite working party, representative of all authorities concerned, to work out and agree on a tripartite basis the necessary steps to be taken in this respect. The Chairman said he would keep this suggestion in mind.

9. Additional points of interest are:-

(i) The Chairman informed me that the Kommandatura have power of direction over the Western Sectors Police Forces (unlike Public Safety in the Federal Republic).

(ii) The Chairman said it was doubtful whether the Berliner Magistrat had sufficient competence to administer a service for the control of passports (or their issue) as it had not the authority of a Land Government under German Administrative practice.

(iii) At one point, I had occasion to refer to that part of the C.T.B. Charter which states "Where applicable, the controls covered by the C.T.B. apply to the Western Sectors of Berlin." The Chairman remarked, and the Legal Adviser agreed, that only the Allied Kommandatura in the city could authorise such applicability and application.

(iv) The G.C.C., the British Sector Berlin, is the personal representative there of the British High Commission. Therefore, the British High Commission could arrange for agreed proposals to be put into effect in the British Sector of Berlin. The situation became more complex when, as here, tripartite agreement to a proposal was necessary.

/10.....

10. Recommendations:

(i) That the Kommandatura reply to the Board's letter of 2nd March 1950 be awaited.

(ii) That in the light of the Kommandatura's reply, my suggestion for a tripartite working party be proceeded with, if this be necessary.

(iii) That Internal Affair Directorate investigate and report on the legal position, in respect of the use of interzonal documents, with a view to representing to the Kommandatura the necessity for control of such documents at Western Sector Airfields.

(iv) That any future C.T.B. negotiations regarding the Western Sectors of Berlin be conducted formally through the Allied Kommandatura.

11. Attached is a copy of the Berlin Statement of Principles governing the relationship between the Allied Kommandatura and Greater Berlin.

12. Since writing the above the Chairman's record of the Meeting has been recieved and is attached.

ALLIED KOMMANDATURA BERLIN

14 May 1949

Statement of Principles Governing the Relationship

Between the Allied Kommandatura and Greater Berlin

TO: The Chairman of the City Assembly
The Oberbürgermeister
The President of the Kammergericht

1. The three Military Governors have transmitted to the Parliamentary Council in Bonn the text of an Occupation Statute which grants wide legislative, executive and judicial powers to the German Federal Republic which will shortly be established. The Military Governors have reserved to themselves only such powers as are necessary to ensure the fundamental aims of the Occupation.

2. Although the Military Governors have not been able, because of the special circumstances of Berlin, to agree at this time that Berlin should be included as a Land in the initial organisation of the German Federal Republic, it has been decided to apply, as far as possible, the same liberal measures to Berlin, only reserving, in addition, to the Allied Kommandatura such other powers as are necessary in the present exceptional circumstances in order to ensure the security, the good order, and financial and economic stability of the City.

3, The representative bodies of Greater Berlin have already received considerable powers, by virtue of the Temporary Constitution, but the exercise of these powers has been constantly hindered by the Soviet authorities who, withdraw from the Allied Kommandatura on 1st July 1948, have disrupted the unity of the City, and have attempted to bring its administration to a standstill.

4. The Allied Kommandatura and the American, French and British Commandants, in their joint and several capacities, have therefore resolved that their relations with the German Authorities of Greater Berlin will in future be guided by the principles set out in the attached document.

U S A	FRANCE	GREAT BRITAIN
Brigadier General FRANK . HOWLEY	General de Brigade J. GANEVAL	Major General G.K. BOURNE

ALLIED KOMMANDATURA BERLIN

SUBJECT: Statement of Principles Governing the Relationship Betwenn the Allied Kommandatura and Greater Berlin.

1. (a) Greater Berlin shall have, subject only to the limitations set out in this statement, full legislative and executive and judicial powers in accordance with the Temporary Constitution of 1946 or with any subsequent Constitution adopted by the City Assembly and approved by the Allied Kommandatura in accordance with the provisions of this statement;

(b) Article 36 of the Temporary Constitution of Berlin will be held in suspense and BK/O (47) 34 and BK/O (47) 56 which were issued in implementation of that article, will be annulled.

2. In order to ensure the accomplishment of the basic purpose of Occupation, powers in the following fields are specifically reserved to the Allied Kommandatura, including the right to request and verify information and statistics needed by the Occupation Authorities.

(a) Disarmament and demilitarisation, including related fields of scientific research, prohibitions and restrictions on industry and civil aviation;

(b) Restitution, reparations, decartelisation, deconcentration, non-discrimination in trade matters, foreign interests in Berlin and claims against Berlin, or its inhabitants;

(c) Relations with authorities abroad;

(d) Displaced persons and the admission of refugees;

(e) Protection, prestige and security of Allied Forces, dependants, employees and representatives, their immunities and satisfaction of occupation costs and their other requirements;

(f) Respect for the Temporary Constitution of Berlin of 1946 or of any Constitution which may be approved by the Allied Kommandatura to replace the Temporary Constitution;

(g) Control over foreign trade and exchange;

(h) Control over internal action, only to the minimum extent necessary to ensure use of funds, food and other supplies in such manner as to reduce to a minimum the need for external assistance to Berlin;

(i) Control of the care and treatment in German prisons of persons charged before or sentenced by the courts or tribunals of the Occupying Powers or Occupation Authorities; over the carrying out of sentences imposed on them and other questions of amnesty, pardon or release in relation to them;

(j) Supervision of the Berlin Police, in view of the special circumstances prevailing in Berlin, in a manner to be defined in an additional document, which will be issued by the Allied Kommandatura on this subject;

(k) Legislation or action tending to restrict the freedom of speech, the Press, assembly or association, until such time as these four basic rights are guaranteed by the Berlin Constitution;

(l) Such controls as have been or may be imposed by the Allied Kommandatura to ensure that counter blockade measures, including measures in connection with the airlift and the restriction of exports, shall remain effective during the continuance of the blockade;

(m) Control of banking, currency and credit policy so that it may be fully coordinated with the banking and credit policies of larger areas of Germany under Allied supervision.

3. (a) It is the hope and expectation of the Commandants that the Occupation Authorities will not have occasion to take action in fields other than to be specifically reserved above. The Occupation Authorities, however, reserve the right to resume in whole or in part the exercise of full authority if they consider that to do so is essential to security or to preserve democratic government, or in pursuance of the international obligations of their Governments. Before doing so, they will formally advise the appropriate Berlin Authorities of their decision and of the reasons therefore;

(b) In addition, in the special circumstances prevailing in Berlin, the Occupation Authorities reserve the right to intervene, in an emergency, and issue orders to ensure the security, good order and financial and economic stability of the City.

4. Greater Berlin shall have the power, after due notification to the Allied Kommandatura, to legislate and act in the fields reserved to the Allied Kommandatura, except as the Allied Kommandatura itself otherwise specifically directs, or as such legislation or action would be inconsistent with decisions or actions taken by the Occupation Authorities themselves.

5. Any amendment to the Temporary Constitution, any new Constitution approved by the City Assembly designed to replace the Temporary Constitution, any amendment to such new Constitution, or legislation in the fields reserved above will require the express approval of the Allied Kommandatura before becoming effective. All other legislation will become effective 21 days after official receipt by the Allied Kommandatura unless previously disapproved by them provisionally or finally. The Allied Kommandatura will not disapprove such legislation unless in their opinion it is inconsistent with the Constitution in force, legislation or other directive of the Occupation Authorities themselves, or the provisions of this statement, or unless it constitutes a grave threat to the basic purposes of the Occupation.

6. Subject only to the requirements of their security, the Occupation Authorities guarantee that all agencies of the Occupation will respect the civil rights of every person to be protected against arbitrary arrest, search, or seizure, to be represented by counsel, to be admitted to appeal as circumstances warrant, to communicate with relatives, and to have a fair prompt trial.

7. Orders and instructions of the Allied Kommandatura or the Sector Military Governments, issued before the date of this statement, shall remain in force until repealed or amended by the Allied Kommandatura or the Sector Military Governments as appropriate in accordance with the following provisions:

(a) The Allied Kommandatura and Sector Military Government orders or instructions relating to reserved subjects will remain in force and will be codified;

(b) The Allied Kommandatura and Sector Military Governments will, as soon as possible, cancel all orders and instructions which are inconsistent with this statement. It may be necessary for certain of these orders and instructions to remain in force until they are replaced by City legislation. In such cases, the Allied Kommandatura or the Sector Military Government, as appropriate, will repeal such orders and instructions on the request of the City Government.

------oOo------

INTER-OFFICE MEMORANDUM

From: Public Safety To: DDMG

17/14/03/1

31 March 50

NOTE OF MEETING IN LANCASTER HOUSE - 31ST MARCH, 1950.

SUBJECT: Customs and Document Control at Berlin Airports.

PRESENT:

Mr. J. A. CHAMBERS, AIG, Public Safety (CHAIRMAN)
Mr. S.J. HENRY, Legal Adviser
Lt. Col. J. COUTTS(Retd.), Financial Adviser
Mr. E.J.R. GEORGES, Civil Admin
Mr. W.H.O. WATSON, Combined Travel Board (Herford)
Mr. H.W. STURDY, Combined Travel Board (Berlin)

Mr. WATSON had been asked to come to Berlin in order to discuss the position at present pertaining at Gatow Airport.

The relationship of High Commission or Zonal Laws and Ordinances to Berlin was carefully explained.

IT WAS AGREED that it was desirable to control persons and goods arriving at or leaving from Western Berlin Airports from or to countries outside the international frontiers of Germany.

IT WAS FURTHER AGREED that the controls should be similar in each of the three Western Sectors.

IT WAS AGREED that British Sector Military Government Ordinance No. 73, dealing with import and export of goods, adequately covered the subject and that it would be desirable that it be adopted tripartitely.

IT WAS FURTHER AGREED that an Ordinance be promulgated on a tripartite basis to control the documentation of persons arriving directly from countries outside Germany by air, or leaving Berlin by air for a country outside Germany.

IT WAS AGREED to suggest that a tripartite working party should consider this subject.

SIGNATURE

(J. A. CHAMBERS)
Chairman

Tele: 86 5511

(18)

COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

British Address	U.S. Address	French Address
Herford	Herford	S.P. 51084
B.A.O.R. 15.	A.P.O. 757, U.S. Army	B.P.M. 515

Tel : Herford 2941, Ext. .....

CTB/275-1/CJ/149

Le 11 Mai 1950.

NOTE pour Monsieur SEDGLEY Ref. 12.

-:-:-:-:-:-

I. Je ne pense pas qu'il existe actuellement une législation réglementant la sortie de Berlin, ou le transit par cette ville. Je m'occupe de vérifier ce point.

2. La question des sanctions à prendre à l'encontre des personnes qui traversent clandestinement les limites des zones orientales, peut également être débattue entre les juristes. Il me semble qu'il est possible, en fait, de réglementer ces trafics, et de punir les infractions à la réglementation; mais, comme l'a soutenu le Conseil Juridique à Berlin, je ne crois pas qu'il y ait actuellement de texte traitant ce problème. Dans ce cas, il est évident qu'aucune action pénale ne peut être utilement entreprise contre les prétendus délinquants. C'est d'ailleurs bien ce qui se passe en pratique.

3. Autrement dit, nous sommes encore une fois ramenés au problème de la Loi sur le contrôle des frontières, dont la naissance est attendue avec impatience. Une fois que ce texte aura vu le jour pour la République Fédérale, il sera vraisemblablement possible d'obtenir de la Kommandatura de Berlin, qu'elle prenne un texte similaire complétant le texte du 5 Mai.

Il sera possible de s'appuyer à ce moment sur le paragraphe 6 du rapport du 4 Avril de M. WATSON, qui dispose :

..." Le Conseiller Juridique m'a fait connaitre, à la suite de la discussion, qu'il interviendrait auprès de ses homologues français et américains, pour que soit promulguée une réglementation con-

.../...

(17)

venable, relative au contrôle des personnes arrivant dans, ou quittant les secteurs occidentaux de Berlin directement pour l'Etranger. J'ai répété mon point de vue concernant les voyages interzonaux"

4. J'estime comme vous, qu'il n'est pas possible d'expulser un allemand hors de l'Allemagne, sansvvioler les pratiques courantes du Droit International.

J'attire votre attention sur le fait que le texte de Berlin, ne parle d'expulser les intéressés que du Grand Berlin, et non pas de l'Allemagne. Il s'agit donc beaucoup plus d'une interdiction de séjour que d'une expulsion, en dépit de la terminologie.
Il en est de même de la Loi 10 qui ne prononce des expulsions que pour les allemands ne résidant pas actuellement sur la République Fédérale (dont le territoire ne couvre pas l'ensemble de l'Allemagne).

Ce sont ces subtilités qui ont permis aux augures Juridiques de donner leur accord à ce texte.

5. ... Réf.5 - Le Compte rendu de M. STURDY, indique dans son paragraphe 2 :

" Il a été décidé (au cours de la réunion du 29 Mars tenue à Berlin) que les personnes entrant en Allemagne sans permis d'entrée, seraient déferrées aux Tribunaux Allemands pour être poursuivies selon les Lois allemandes en vigueur "

Le compte rendu de la réunion du 31 Mars sur le même sujet, signé de M. SHAMBERS (Pièce 4) ne fait pas mention de cette décision.

6. Une telle disposition me parait en contradiction flagrante avec l'Article I de la Loi 7 de la Kommandatura, au sujet des pouvoirs judiciaires dans les domaines réservés, qui a été signée le 17 Mars, et publiée le 31 Mars.

Ce texte dispose :

a) " Sauf autorisation expresse générale ou spéciale de la Kommandatura interalliée, ou du Commandant du Secteur intéressé, les Tribunaux allemands ne seront pas compétents en matière pénale.

.../...

b) ... En ce qui concerne toutes infractions :

ii) Prévues par la Législation, des Autorités d'Occupation."

L'entrée dans le Grand Berlin étant maintenant prévue par la nouvelle Loi du 5 Mai, on se trouve en présence d'une disposition de la Législation d'Occupation qui, de ce fait, rentre dans la compétence des Tribunaux Alliés.

7. Cette question est extrémement importante, et nous l'avons déjà rencontrée à propos de la Loi 13 de la Haute Commission.

Dois-je conclure de la comparaison de la date de la réunion et de la date de promulgation de la Loi 7 que la position Britannique énoncée au cours de la réunion a été abandonnée lors de la promulgation de la Loi ?

Dois-je supposer au contraire, que comme cela s'est produit pour la Loi 13, les Autorités Alliées de Berlin n'ont accepté la Loi 7 qu'en réservant à chaque Commandant de Secteur de larges pouvoirs d'appréciation pour sa mise en application?

Si cette seconde hypothèse est la bonne, nous serons en présence à Berlin comme dans la République Fédérale de dispositions différentes sur ce point, aussitôt que les Commandants de secteurs auront promulgué les textes d'application.

8. Je vous serais donc reconnaissant de bien vouloir demander des renseignements précis sur cette question de manière à nous permettre éventuellement, de faire immédiatement intervenir le Conseil, pour attirer l'attention de la Kommandatura sur les difficultés causées à nos services par ces divergences.

Si vous l'estimez opportun, je suis disposé à saisir le Conseil de ce problème, aussitôt que vous m'aurez fait connaitre le point de vue de l'Elément Britannique de Berlin.

SIGNÉ: M. RUBY

TRANSLATION

(21)

275-1/CJ/149 11th May, 1950

To: Mr. Sedgley

1. I do not think that there is at present any legislation in force regulating ~~entry~~ exit from and transit of Berlin. I am in the process of verifying this point.

2. The question of sanctions to be taken against illegal border crossers from the Eastern Zone must also be thrashed out by the legal experts. It appears to me that it should be possible to regulate this traffic and to punish any infractions; but, as the legal counsel in Berlin has pointed out, it is my belief that there are at present no texts in existence dealing with this problem. In this case, it is evident that no proceedings could be usefully undertaken against persons considered as delinquents. ~~This actually would take place~~ This is actually the present position, in point of fact.

3. In other words, we are again faced with the problem of the Law on Frontier Control, the promulgation of which is awaited with impatience. Once this text appears before the Federal Republic, it should be obviously possible to get the Berlin Kommandatura to accept a similar text completing the text dated 5th May.

It will then be possible to stress the statement made by Mr. Watson in his report of 4th April, para 6, which indicates that:-

> "The Legal Adviser informed me that, as a result of this present discussion, he would encourage his U.S. and French counterparts to issue suitable passport regulations to control persons arriving/departing Western Sectors of Berlin direct from foreign. I repeated my view concerning inter-zonal travellers."

4. I consider, as you do, that it is not possible to expel a German out of Germany without violating general practice under international law.

I would call your attention to the fact that the Berlin text only indicates expulsion of persons concerned from Greater Berlin and not from Germany. Therefore it is rather a ban on residence in a certain area than an expulsion, in spite of the phraseology.

The same can be said of Law No.10, which only lays down compulsory measures in respect of Germans not actually resident in the Federal Republic, (the territory of which does not comprise the whole of Germany).

It is these subtleties of phraseology which have enabled the legal experts to give their approval to the text in question.

5. The report made out by Mr. Sturdy, indicates in para.2 -

> "It was decided at the meeting held in Berlin on 29th March that persons entering Germany without an entry permit would be referred to German Courts, in order that proceedings might be taken against them, in accordance with current German legislation."

The report of the meeting held on 31st March on the same subject, signed by Mr. Chambers, Annex 4, makes no mention of this decision.

6. Any such decision would appear to me to be in flagrant contradiction of Kommandatura Law No.7, Article 1, concerning legal powers within the reserved field, which was signed on 17th March and published on 31st March. This text lays down that:

(a) "Unless otherwise either generally or specially authorised by the Inter-Allied Kommandatura or the Commanders of the Sectors concerned, German Courts will not be competent in penal affairs.

(b) As far as infractions are concerned :

(ii) Laid down by legislative authorities of the Occupying Powers".

Since entry into Berlin is now provided for under the terms of the new Law, dated 5th May, we are faced with a ruling made by the legal authorities of the occupational forces, which therefore comes within the competence of Allied Courts.

7. This question is extremely important and we have already seen it raised in connection with Allied High Commission Law No.13.

Do I therefore conclude from comparison from the date on which the meeting was held and the date on which the Law No.7 was promulgated, that the British position, as announced during the meeting, was abandoned when the Law was promulgated?

Or do I, on the contrary, suppose as was the case in respect of Law No.13, that the Allied authorities in Berlin only accept Law No.7, provided that each Sector Commander is permitted to utilise large powers of discretion in its application?

If the second hypothesis is the correct one, we shall be faced, both in Berlin and in the Federal Republic, with two different rulings on this point, as soon as Sector Commanders have issued implementing texts.

8. I shall be grateful if you will, therefore, request that precise information on this question be furnished in order that we may request the Board to call the attention of the Kommandatura to the difficulties with which our service is faced on account of these divergences.

If you consider it desirable, I am disposed to put this question before the Board as soon as you have informed me as to the point of view of the British element in Berlin.

(signed) M. RUBY

(21a)

Mr Watson

Can you furnish the answer to para 4. It is of course debatable how far the Board is concerned with the question of whether Allied or German Courts are appropriate for the trial of these cases. In the British Zone it has always been held that our functions cease with the handing over of offenders to the police for prosecution & the latter are responsible for subsequent proceedings, but it is a 'moot point' which the Board may have to settle. On the particular point at issue Mr Sturdy may be able to assist. N 5.12/5

OTC/CTB/LEG 52
Annex to OTC/CTB/P(50) -

COMBINED TRAVEL BOARD CHARTER - APPLICATION IN BERLIN

1. On 31st March, during a visit of Mr. Watson to Berlin, a meeting was held by the British authorities in that city on the question of travel control, both for entry and exit. This meeting was reported upon under reference CTB/1006/4 dated 4th April, 1950.

Item 9 of Mr. Watson's report, para. (iii) reads as follows :-

"At one point, I had occasion to refer to that part of the C.T.B. Charter which states 'where applicable, the controls covered by the C.T.B. apply to the Western Sectors of Berlin'. The Chairman remarked, and the Legal Adviser agreed, that only the Allied Commandatura in the city could authorise such applicability and application."

2. The attention of the Board is drawn to the fact that the C.T.B. Charter signed by the Allied High Commission has not received the approval of the Inter-Allied Kommandatura in Berlin and that, in view of current practice, ~~any~~ in matters in connection with the texts in respect of legislation and regulations, our Charter is not applicable in Berlin. This position apparently has not been noticed previously but it would appear necessary to bring it on to a normal footing.

3. It is therefore proposed that the Board should request the Inter-Allied Kommandatura to approve the C.T.B. Charter and thereby render it applicable in Berlin. This appears to me indispensable in order that the functions of our personnel in Berlin may be placed on a proper basis and prepare the way so that the Allied High Commission Law on Frontier Control may be applied in Berlin.

25

13th May 1950

OTS/CTB/P(50)87

Texte francais joint

COMBINED TRAVEL BOARD

APPLICATION OF THE CHARTER OF THE COMBINED TRAVEL BOARD TO BERLIN

(Note by Secretariat)

1. The attached Paper OTS/CTB/LEG(50)2 is submitted by the Legal Adviser, who suggests that the Allied Kommandatura should be requested to approve the Charter of the Combined Travel Board and thereby render it applicable to Berlin.

2. This paper will be considered by the Board at its next meeting.

C. J. Pudney

Secretary to the Board.

CTB/202

13th May 1950

Annex to
OTC/CTB/P(50)87

(OTC/CTB/LEG(50)2)

APPLICATION OF THE CHARTER OF THE COMBINED TRAVEL BOARD TO BERLIN

1. On 31st March, during a visit by Mr. Patson to Berlin a meeting was held by the British Authorities in Berlin on the question of travel control, both for exit from, and entry to, that City. A Report of this meeting was issued under reference CTB/1006/4 dated 4th April 1950.

2. Item 9 of this Report, paragraph 3, reads as follows :-

'During the course of the meeting I had occasion to refer to that part of the Charter of the Combined Travel Board which states :-

' ..the Combined Travel Board's function of control will be applied to the Western Sectors of Berlin.'

The Chairman remarked, with the approval of the Legal Adviser, that only the Allied Kommandatura of Berlin could authorise such a measure and put it into effect.

The attention of the Board is drawn to the fact that the Charter of the Combined Travel Board, signed by the Allied High Commission, has not received the approval of the Allied Kommandatura of Berlin, and that, in these circumstances, in accordance with current practice in respect of texts of legislation and regulations, this paper is not applicable to Berlin.

This state of affairs appears to have remained unnoticed until the present, and this would seem to require to be regularised.

3. It is, accordingly, suggested that the Board should request the Allied Kommandatura to approve the Charter of the Combined Travel Board and make it officially applicable to Berlin.

This appears to me essential if the activities of our officials in Berlin are to be regularised, and if the High Commission Law on the control of frontiers is to be extended to Berlin.

CTB/275/1

Mr. SEDGLEY

As a result of M. Ruby's memo. at 20/21 and your remark at 21A I have devoted a good deal of thought to the questions involved. I have spoken to both Sturdy and Hollman (the latter contributing useful information on the principles involved in present day procedure in respect of general responsibility for prosecution in the Federal Republic of Germany).

1. The question as to whether an Allied or German Court is competent to try offences against legislation of the Occupation Authorities is, so far as the B.Z. of the Federal Republic is concerned, theoretically decided by A.H.C. Law No. 13, Articles 1 + 2. In practice, however, in Hollman's experience, the dictates of Law No. 13 have constantly to be interpreted in the light of the British manpower available to deal with the responsibility placed upon it. Thus Hollman has found that, generally, persons guilty of illegal frontier crossing, although guilty of an offence against Mil.Gov.Law 161 - an enactment of the Occupying Powers - are dealt with in a German Court, as the British Control Commission Courts could not possibly deal with the number of such offences encountered because of the lack of C.C.G. facilities. Hollman is of the general opinion that German Courts do not deal severely with this particular aspect of infringement. Hollman has inaugurated a system of close liaison with his local British Prosecuting Officer whereby he can draw the latter's personal attention to cases which Hollman considers serious enough to merit special Allied attention, but this, I should think, is merely the result of Hollman's initiative.

2. I am aware that your query at 21A is specifically directed to the question of prosecution in Western Sector Berlin Courts. I think both you and M. Ruby will find the statement in para. 1 above of interest and of some application to the general question.

3. As a result of conversation with Mr. Sturdy I have found an interesting situation. I consider the view of the Berlin Authorities logical having regard to the premises on which that view is based. These premises however cover only one aspect of the subject, and leave one aspect of the subject wholly unprovided for.

Sturdy considers that my visit to Berlin is in no way connected with the promulgation at the Allied Kommandatura Law at page 10. This particular Law was promulgated on 8 May 50. Sturdy has knowledge that the U.S. Legal Adviser made certain suggestions for amending the draft, but does not know what these amendments were, or whether the amendments were incorporated, as so far, Sturdy has not seen the final text of the Law as promulgated. He will, however, obtain copies and furnish one to the C.T.B.

4. So far as I can gather from Sturdy it appears that the purpose of the draft Law at page 10 was to provide legislation, in respect of the Western Sectors of Berlin, which would cover for the particular purpose, the enactments both of British Mil.Gov.Ord. No.161, and British Mil.Gov.Ord. 64 (presently covered by A.H.C.Law No.10) and the

/parallel.....

parallel legislation in the other two Zones.

As a result we have now a Law promulgated by the Allied Kommandantura which applies to those persons who enter the Western Sectors of Berlin in possession of a permit issued by an A.H.C. Permit Office. (The Allied Kommandantura Law also covers certain other categories of persons but this minute is not concerned with these categories). So far as persons not normally resident in Germany, and not in possession of an Entry Permit and who must therefore be presumed to have entered Germany illegally, are concerned, it would appear that the Allied Kommandantura is not, officially, interested. If we accept the two premises urged on me at my meeting in Berlin of 31 Mar 50 that

(a) Mil.Gov. Legislation, unless adopted by the Berlin Allied Kommandatura, do not apply in the Western Sectors; in particular Mil.Gov. Law 161 has not been so adopted, and

(b) There is no legal restriction on any person moving between Berlin and any other part of Germany,

then a person who succeeds in entering the Federal Republic illegally and subsequently proceeds from the Fed.Rep. to a Western Sector of Berlin has not offended against an enactment of the Allied Kommandatura and must be tried before a German Court, and presumably under pre-war German legislation in respect of illegal frontier crossing.

As I stated before, this point of view is logical within the limitations of the premises on which it is founded, but, of course, from the point of view of the Occupational Authorities generally it is, on first sight, ludicrous, but perhaps on reflection can be seen, in true perspective, against the general difficulties raised by the present position of three-quarters of Stadt Berlin in relation to the rest of Germany and in particular, to the Federal German Republic.

I think you will agree that the present problem, so far as we are concerned, is a Board problem. The Allied Authorities in the Western Sectors of Berlin must realise, so far as the issue, validity and control of travel documentation is concerned that their regulations must be dovetailed with the regulations of the C.F.D. if a uniform practice in these respects is to be followed. My feeling, after visiting Berlin at the end of March was, that whilst not minimising the special problems facing the British Occupational Authorities in the city, the outlook of the British Authorities so far as we were concerned was some what parochial. I think it high time that a delegation from C.F.D. represented the Board's interest to the Allied Kommandatura. After all the purpose of the Occupation Authorities in the Western Sectors of Berlin is essentially the same as that of the Occupation Authorities in the Federal Republic.

W.H.O. to.

26a

19-5-50 (W.H.O.WATSON)

M. Ruby. Pl see above, in reference to your paper at page 18. I don't think that I can usefully add anything. Clearly

You will need to study the position generally in the Western Sectors of Berlin with a view to securing a reasonable working arrangement in so far as matters for which CTB is responsible are concerned. The question is of common concern to all Directorates who will need to be kept informed of the position.

The legislation which will have to be introduced on the lines of the Federal Republic AHC Law on Travel Control (and its Regulations) will probably furnish you with the opportunity of bringing the legal situation under control. It is for consideration whether, & if so to ideal extent, CTB is responsible for intervening in regard to the place of prosecution of offenders.

21/6

(26b) - WHOL 5/6.

Mr Watson: Je vous remercie sincèrement des démarches faites et des lumières que vous apportez -

Je pense qu'il faudra reprendre ce problème avec Berlin sur instructions particulières du Conseil -

mais je crois qu'il faut attendre le résultat de 3 autres démarches actuellement en cours :

1) Publication des Textes sur le Contrôle des Frontières -

2) Regularisation de la position de LOTC pour Berlin

3) Avis du Comité Juridique AHC demandé par une lettre placée dans file N°

Aussitôt les réponses connues à ces questions nous reprendrons ensemble la question avec le plus grand soin -

WHOL

28-5-50

(x) Mr Watson Appell 34

No. 3 30 April / 30 Avril / 30. April 1950

OFFICIAL GAZETTE

OF THE ALLIED KOMMANDATURA BERLIN

Office of the Chairman Chief of Staff

Allied Kommandatura Berlin

16—18 Kaiserswerther Strasse, Berlin-Dahlem

BULLETIN OFFICIEL

DE LA KOMMANDATURA INTERALLIÉE DE BERLIN

Bureau du Chef d'État-Major Président

Kommandatura Interalliée de Berlin

16—18 Kaiserswerther Strasse, Berlin-Dahlem

AMTSBLATT

DER ALLIIERTEN KOMMANDATURA BERLIN

Büro des Vorsitzführenden Stabschefs

Alliierte Kommandatura Berlin

Berlin-Dahlem, Kaiserswerther Strasse 16—18

(28)

226/1/S

86 45 80

26th May, 1950

TO: Internal Affairs Directorate
Combined Travel Board
HERFORD, BAOR 15
Attention Mr. SUTTON

SUBJECT: Allied Kommandatura Law No. 8

Further to this office letter of even reference dated 14th April 1950 please find attached copy of Law No. 8 dealing with prosecution of persons entering Berlin illegally or overstaying their Entry Permits.

2. Please loan to Mr. WATSON of Passport Control Section for study.

FOR THE COMBINED TRAVEL BOARD:

(Sgd) H. W. STURDY

M.B. LUSTGARTEN
Branch Office Chief

HWS/CJ

(28A) Mr. Sutton

Would you please arrange for me to see the paper referred to above on my return from leave i.e. 24/6/50

WHOL. 9/6.

Copy to:
Mr. WATSON
Passport Control Directorate
Combined Travel Board
HERFORD, BAOR 15

605, Floater

File 245/1

36

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ALLIED KOMMANDATURA BERLIN
(BR/US/FR Meeting)

28th April 1952 BK/R(52)98

Control of Documents at Berlin Airports - Documentation of Non-German Nationals Resident in the Federal Republic

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1. At their 16th Meeting, the Deputy Commandants, after considering CAC/Memo(52)51:

(a) agreed that the Chairman would prepare and circulate a draft reply to the letter from the Combined Travel Board (OTC/CTB/Memo(52)2) including the suggestion made by the US representative, for consideration at their next meeting.

(b) agreed that a copy of any communication to the Combined Travel Board on this subject should be sent to the Political Affairs Committee of the Allied High Commission.

2. Since this meeting, a revised copy of the Combined Travel Board's Memorandum has been received by the Secretaries. (OTC/CTB/Memo(52)2(Revised)) which has been forwarded to the Civil Affairs Committee for information. The revision of this document consists only of the substitution in paragraphs 3 and 4 of the words "valid internationally recognized travel document" for the words "valid national passports" and "valid passports".

3. The Chairman Deputy Commandant has now submitted his draft reply to the Combined Travel Board which is circulated herewith for consideration at the next meeting of the Deputy Commandants.

T. P. KIDD Lt. Colonel

TAYLOR E. A.

GAUGAIN Commandant

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BRITISH DRAFT

TO: Secretariat, Combined Travel Board

SUBJECT: Travel Documentation for Travel to and from Berlin in Civil Aircraft

I am directed by the Deputy Commandants to refer to your communication OTC/CTB/MEMO(52)2 of 18th March, 1952, and to inform you that the Deputy Commandants are not satisfied that it represents the views which they expressed during the recent visit of members of the Combined Travel Board to Berlin.

2. Paragraph 11 of DIAC/APSC/P(46)1(Revised) of 31st January, 1946, states: (Applications for semi-permanent passes received from nationals other than German, who are permanently domiciled in Germany, will also be dealt with by the Interzonal Facilities Board."

This paragraph has formed the basis of the interzonal travel of non-official non-German permanent residents. There is no provision for the issue of interzonal passes to non-official non-German non-permanent residents.

3. The Deputy Commandants do not feel able to recommend the abrogation of a quadripartite agreement or a notable variation from the accepted interpretation of such an agreement. They would not therefore recommend the frank amendment of the regulations to the effect that non-German permanent residents may travel between Berlin and the West without an interzonal pass.

4. Bearing in mind, however, the fact that there are no quadripartite regulations which govern the interzonal travel of non-German non-Permanent residents, they are prepared to recommend that the definition of "permanent residents" should henceforth be such as to enable non-German residents in Germany who are in possession of a valid internationally recognized travel document together with a visa valid for the Federal Republic and/or a permit to reside for a limited period in the Federal Republic or Western Berlin, to claim "non-permanent residence" and thus the right to travel as ordinary non-German Tourists.

5. The Deputy Commandants believe that they and the Combined Travel Board are substantially at one both in their aim and in the method by which they hope to achieve it. The Deputy Commandants believe, however, that any modifications in the regulations should be so presented as not to contravene the letter of the existing quadripartite agreements.

6. I am directed to send a copy of this communication to the Allied General Secretariat for the attention of the Political Affairs Committee of the Allied High Commission.

MINUTES OF MEETINGS

TRIPARTITE COMMITTEE ON REFUGEES 276 VOL. I.

FILE SEPARATOR

Form HICOM-299
(19 Sept 50)

March 1949 TMPR/P(49)12

THE WORK OF VOLUNTARY SOCIETIES FOR REFUGEES IN GERMANY

A. INTRODUCTION

Until recently, the voluntary societies have, in almost every case, worked for the German population as a whole on the basis of need. Given this basis, the refugees naturally benefitted largely from the relief programmes, but were seldom specially singled out for particular aid.

As normal living conditions in Germany improve and relief supplies, as a natural consequence, decrease, the voluntary societies have begun to concentrate with their reduced resources on work amongst the refugee population. The following notes show the present position, but the fact that future programmes depend on voluntary donations, make any forecast of activities difficult.

B. INTERNATIONAL SOCIETIES

1. B.R.C. (British Red Cross) and C.B.S.R.A. (Council of British Societies for Relief Abroad) Commissions.

These two separate British organizations are dealt with together only because their supplies are pooled. These amount to an average of 90 tons per month and are distributed to a great extent in refugee districts. A U.N.A.C. (United Nations Appeal for Children) gift of the value of £ 24,000 odd has already been distributed and £ 27,000 worth is to come. This will be distributed in the time during which the societies concerned continue their welfare activities for Germans.

(a) The B.R.C. till late summer with an increasing emphasis on work amongst refugees as the Pole problem lessens;

(b) C.B.S.R.A. till the end of 1949, again mainly in refugee districts. Particular attention is being given to encouragement of home industry and youth projects.

2. C.R.A.L.C.G. (Council of Relief Agencies Licensed for Operation in Germany)

This powerful U.S. organization imported 31,000 tons of relief supplies into Germany in 1948. These were for distribution by the German Central Committee of the Free Welfare Agencies and also in the form of gifts from Churches in the States to sister Churches in Germany. The last conference of the organization spent a day in discussing refugee projects for which definite help might be asked from contributing societies. The potential here is great, but cannot at this stage be assessed. Two of the member agencies have separate refugee projects, for which supplies come through C.R.A.L.C.G.

(a) The Mennonite Central Committee, who are concentrating on the feeding of old people, summer holiday camps for children and distribution of parcels to the needy, all amongst the refugee population. It is not known how long their supplies, which amounted to 2,173 tons in 1948, can be kept up by such a small community.

(b) The American Friends Service Committee, who have organized a mobile (caravan) Community Service to visit isolated camps in Oldenburg. This service may be extended to other refugee districts if, as seems certain, its worth is proved.

3. C.A.R.E. (Cooperative of American Remittances to Europe)

This U. S. importing agency was among the first to be licenced in Germany, but now deals almost entirely with individual gift parcels. Though many thousands reach refugees, the contribution cannot be included when trying to assess an overall potential. There is, however, a possibility that 5,000 blanket packages may be made available to refugees in the British Zone in the near future.

4. Committee of the International Red Cross

The actual welfare work of the Committee is now confined to Berlin and ex-PoW's in the Zone, so that it would hardly feature in any forecast of activity amongst refugees.

5. Centre d'Entraide Internationale

is an importing agency for welfare supplies for all three Western Zones. Its good offices might be sought for the bringing in of specific gifts from Europe.

6. The Worlds' YMCA

gives assistance in kind (mainly imported through C.R.A.L.O.G.) to refugees, especially ex-PoW, entering the British Zone through Friedland and in the camps at Muenster. New schemes for the cultural welfare of GCLO (German Civil Labour Organisation) (95% of whom are refugees) and refugee miners and industrial operatives are at present under discussion.

7. Schweizer Europahilfe

the successor to Don Suisse, proved child feeding schemes in the three Western Zones which reach many refugee children. A special project is that of one of their member societies "Entr'aide Protestante Allemande" for Espelkamp, which will be referred to later. Their help is likely to continue for some time.

8. The Swiss Red Cross

have, during the last three years, arranged transports for 29,000 children to visit Switzerland for 3 months, many of these being refugees. A few more transports may be expected. They have also organized various refugee children and old people's centres, and are likely to continue their activities in Niedersachsen until 1950.

9. The Swedish Red Cross

concentrates on a large scale feeding scheme for children and students throughout the British Zone and in all Sectors of Berlin. This naturally reaches many refugees but will cease in the early summer of 1949. TB immunization and X-Ray teams will, however, continue to operate and rehabilitation projects for refugees are being discussed. Several Swedish wooden buildings designed and furnished for use as Day Nurseries and community centres are being imported and handed over to the German authorities to be erected in crowded urban districts. "Rädda Barnen" (Swedish "Save the Children") will also present five of these.

10. The Danish Red Cross

is operating in Schleswig Holstein, where TB immunization and child feeding schemes and other projects are carried out. All except medical activity is likely to cease in the summer of 1949. "Red Barnet" (Danish "Save the Children") are proposing to send in two or three mobile units for educational and relief work in camps in Schleswig Holstein and Niedersachsen.

11. Norwegian Relief for Europe

of which the Norwegian Red Cross is a member agency, imports supplies, mainly cod-liver-oil, fish products and medicaments to be distributed through German societies to areas of the greatest needs in the British and French Zones. The British Zone received 883 tons in 1948, and a relief programme for refugees in the island of Sylt is planned. Other schemes for camps in Bavaria will follow.

12. Save Europe Now

has ceased its activities as an importing agency, but has recently launched a campaign to help vagrant youth in Germany, which has so far realised DM 131,000.

13. U.N.I.C.E.F. (United Nations International Children's Emergency Fund

has allotted $ 1,000,000 to be spent on cod-liver-oil, wool and leather for children in all four Zones. Its observers are making a study of refugee conditions and the possibility of a further and considerably larger grant for refugee children has been mentioned.

C. GERMAN SOCIETIES

1. Arbeiterwohlfahrt

Community Committees in large towns have refugee advice departments. Camps and Kindergartens for refugees (one of the latter in Uelzen camp) have been organized. Refugees are given the priority their condition warrants in soup kitchens, sewing centres and repair rooms, warming centres, Kindergartens, overnight shelters and children's and old people's homes, and individual trainees are given financial aid. The society works in close cooperation with Public Welfare but, since currency reform, is much hampered by lack of funds.

2. Innere Mission

The hundred year old institutional work of this society, of which Bethel is a well known example, has been adjusted so that as many doors as possible may be opened to refugees. Material relief is combined with rehabilitation on Evangelical Church lines, and the homes of the organization can be counted upon as permanent refugees for a proportion of the sick and suffering; their finances, greatly affected by currency reform, have already begun to improve.

3. Evangelisches Hilfswerk

a post-war Protestant relief society, has local committees (Gemeindehilfen) which assist in refugee work. Large amounts of C.R.A.L.O.G. supplies are distributed through these. The Evangelisches Hilfswerk has already taken over various hutted camps with the object of developing commercial enterprises amongst the refugees, Espelkamp and Lesum being among the number. Another project is Adelheide, where 3,000 refugees youths are to be trained for emigration or absorption into skilled employment. Of these an eventual 1,500 will be Catholic youths brought there and supported by

4. Caritas Verband

the 50-year-old association of Catholic relief societies, which describes the help it can give as "less than a drop in the ocean". Nevertheless, it has organized many other projects in addition to that at Adelheide, and notably among youths and old people. Refugee nuns have begged and borrowed to start shelters for the destitute of their own home districts. Caritas gives financial and material aid to students and is actively represented on the Arbeitsgemeinschaft fuer Kinderrueckfuehrung, a cooperative action of the voluntary societies for reuniting families. As with the other Church societies, the finances so hardly hit by currency reform, may be expected to improve, at any rate in the more prosperous districts.

9 March 1949

5. Deutsches Rotes Kreuz (D.R.K.)

have many of their million voluntary workers who help in refugee camps, though since currency reform more and more of these must be paid a living wage, either by the Laender or by the organization. They also assist in search work, notably by the Suchdienst at Hamburg, which has reunited 36,000 children with their families in addition to handling thousands of cases of ex-PoWs. It claims, in fact, 5½ million successful cases, and that 45% of its work is paid for by thank offerings. The Arbeitsgemeinschaft fuer Kinderrueckfuehrung mentioned above has its headquarters with the D.R.K. and has so far repatriated 10,000 children. The work in homes, transit assistance and feeding schemes are all cramped by lack of funds, and the fact that DRK property is still frozen and cannot be used for the raising of mortgages is an additional difficulty.

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8 March 1949 TWPR/P(49)11

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The attached paper concerning the number of Germans who emigrated from the three zones of Germany during 1948, based upon the records of the Combined Travel Board, is submitted to the Tripartite Working Party for consideration at its fourth meeting.

EDWARD W. LAWRENCE
Recorder

L. Germans who emigrated from U. S. Zone in 1948:

Afghanistan	1	India	4
Argentina	253	Iran	4
Angola	1	Israel	124
Australia	98	Italy	89
Austria	83	Japan	1
Belgium	130	Kenya	5
Bolivia	12	Lebanon	1
Brazil	421	Liechtenstein	1
Bulgaria	1	Luxembourg	2
Canada	750	Madagascar	1
Ceylon	2	Mexico	8
Chile	92	New Zealand	7
Columbia	18	Norway	15
Costa Rica	3	Panama	3
Cuba	5	Paraguay	19
Czechoslovakia	12	Peru	12
Cyprus	1	Poland	8
Denmark	23	Portugal	11
Ecuador	12	Saarland	33
Egypt	6	Southern Rhodesia	3
Eire	2	Spain	92
El Salvador	2	Sweden	118
Finland	1	Switzerland	133
France	403	Trieste	2
French Algeria	1	Turkey	10
Greece	4	Union of South Africa	85
Guatemala	1	United Kingdom	343
Hawaii	2	Uruguay	3
Holland	121	USA	14,539
Honduras	1	Venezuela	23
Iceland	1		

Total emigration from US Zone 18,142

War brides and fiancees account for approximately 14,000 of total figure.

2. Emigration to UK fiancees 4,882
Other 388
Total emigration to UK 5,270
Emigration to other countries 8,903
Total emigration from UK Zone 14,173

Figures by countries of destination not available.

3. No figures available for French Zone.

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4 March 1949

T.W.P(49)10

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The attached papers of the French Manpower Department and the French Economic Adviser are submitted by the French Member for the consideration of the Tripartite Working Party on Germany Refugees at its fifth meeting.

EDWARD W. LAWRENCE
Recorder

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4 March 1949 | Translation | Appendix A to TWPR/P(49)10

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

SUBJECT: Position of the French Manpower Department with Regard to the Problem of Refugees in Western Germany

1. The first phase of the refugee problem consisted chiefly in setting up some arrangement for receiving and housing millions of people expelled from Eastern Germany or repatriated from outside. This same phase was characterized less by the desire to procure means of livelihood for the refugees than to provide the most urgent, i.e. to make sure of housing them. The pursuit of this immediate aim often resulted in relegating the examination of opportunities for employment to second place.

2. At the present time, the question is no longer to house refugees but to integrate them into the production process. No solution except one conceived within this framework admits of a final solution. Anything done which merely consisted in transplanting refugees in organized convoys from one land to the other or from one occupation zone to the other, would merely move the problem - with more sacrifices for those involved - without solving it because of this.

3. This integration must be achieved by the spontaneous movement of the refugees to areas offering them the maximum opportunities for final settlement and assimilation, a movement which should be facilitated - but not organized - by an extremely liberal policy on the part of the Military Government.

4. This could be a double-sided policy:

a. Inside Western German itself, it would presuppose that all administrative hindrances likely to thwart this spontaneous movement were removed. Residence permits should be issued automatically as long as the refugee is able to prove some means of livelihood in the place he has chosen. The reverse solution consisting in only authorizing the refugee to work in a determined locality if he can produce a residence permit for this locality, should be ruled out for good and all.

b. It should not be restricted to Germany, but on the contrary favor to the maximum the expatriation of Germans and in particular refugees. Nothing but an extremely liberal attitude with regard to German emigration is likely to put an end to the crowding of the German population. This emigration would simultaneously help to lighten the burden constituted by refugees as unproductive elements for the German economy; either directly, by the departure of the workers with their families, or indirectly by favorably affecting the balance of accounts due to the transfer of wages or savings by the workers to their families who have remained in Germany.

5. Wherever the question of housing arises, it should be decided in accordance with the employment factor, i.e. utilize to the maximum the housing possibilities or, if necessary, create new ones - there where there are opportunities to work.

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Appendix B to
TEFR/P(49)10

4 March 1949 Translation

COMMENTS FROM THE FRENCH ECONOMIC ADVISOR ON THE JOINT STATEMENT ON THE REFUGEE PROBLEM

(TEFR/P(49)1)

The French Economic Advisor recalls that the French Government has always felt that the problem of the German population as it results from the movements of persons implied in the Potsdam Agreement constitutes one of the main problems the occupying powers must strive to settle.

1. The movements of the population have brought about a considerable increase in the density of the population in Western Germany by comparison with the density of the population in 1939. It would therefore be advisable to determine very precisely:

a. the increase in the population in the three Western zones by comparison with before the war;

b. the employment prospects for the surplus population by comparison with before the war;

c. the proportion of the refugee population which is of working age, unemployed, inadequately employed or being supported by other people.

2. If, which is probable, the results of this examination lead to clearing out a surplus population either with regard to employment opportunities or opportunities for additional imports of food commodities to feed this surplus population, the solution of the problem should be sought in organized emigration. This emigration should be carried out on the basis of suitable distribution of the active population and persons supported by others.

3. The French Economic Advisor feels that the problem of the population in Western Germany should furnish no excuse for the demand for raising the level of industry laid down. Indeed, the level of industry for Western Germany must be determined with a view to ensuring security, allowing for the participation of Western Germany in the recovery of European economy. Allowance has indeed been made in the existing programs for the need to feed a population which has increased by comparison with before the war.

The bans and restrictions laid down cannot be amended without compromising the security of Germany's neighbors.

4. Apart from the need to maintain the level of industry in Western Germany within limits compatible with security, employment opportunities offered by German economy must be considered. Indeed, utilization of the available manpower will be dependent on outlets for German production which may be subject to great hazards.

5. With regard to the internal distribution of refugees, the French Occupation Zone which, as soon as a distribution of basic industrial products has been made, will find its production developing at the same rate as that of the bizonal area, will certainly be able to employ many volunteer workers in infinitely better economic and humanitarian circumstances than she could give the same people if they were officially transferred in accordance with an administrative program which could not allow for all the factors required.

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If the Occupation authorities themselves assumed the responsibility of making a mathematical distribution, they would act very unwisely and would come off best if they left the initiative for this matter to the German Laender Governments.

6. In order to compensate the disparities found in the distribution of refugees, a financial operation should clearly be undertaken within the framework of the distribution of burdens arising from the war (damage, pensions, consequences of the currency reform, occupation costs, maintenance of displaced persons, dismantlings, etc...). It would not be fair, however, to confine the problem of relief to certain categories of refugees, without allowing for the economic benefits resulting from the employment of able-bodied refugees and without taking measures at the same time for an equalization of other burdens.

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7 March 1949 TWPR/P(49)9

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The attached paper

"Refugees in the Western Zone of Germany"

which is an agreed summary of the coordinated statistical information collected by the Statistical Working Party is submitted to the Tripartite Working Party on German Refugees for consideration at its fourth meeting.

EDWARD W. LAWRENCE
Recorder

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REFUGEES IN THE WESTERN ZONE OF GERMANY

SUMMARY

DEFINITION OF REFUGEE:

Entrants of German nationality or descent into Western Germany of the following classes:

Category "A": Those from foreign countries or former German territories east of the Oder-Neisse Line.

Category "B": Those from Soviet Zone or Berlin.

INCREASE IN POPULATION AND NUMBER OF REFUGEES:

LAND	Population at 1.10.48 (ex DPs in Camps) Thousands	Persons per sq. kilo-meter	Increase or Decrease in Population since 17.5.39 Thousands	% of 1939 Pop.	Total No. of Refugees Thousands	Refugees as % of Total Population
Schleswig-Hol	2,712.3	175	+ 1,123.3	+ 70.7	1,034.4	38.2
Hamburg	1,502.9	2,018	- 209.0	- 12.2	125.7	8.3
Niedersachsen	6,745.0	145	+ 2,205.5	+ 48.6	2,017.2	30.0
Nordrhein-W.	12,608.6	371	+ 663.5.	+ 5.6	1,111.4	8.8.
BRITISH ZONE	23,568.8	243	+ 3,783.3	+ 19.1	4,288.7	18.2
Bremen	525.4	1,313	- 37.5	- 6.3	38.9	7.4
Hessen	4,214.0	202	+ 734.9	+ 21.1	736.6	17.4
Württemberg-B	3,811.1	246	+ 593.8	+ 18.5	728.1	19.2
Bayern	9,141.2	133	+ 2,103.5	+ 29.9	2,086.1	22.8
U.S. ZONE	17,691.7	167	+ 3,394.7	+ 23.7	3,589.7	20.3
Süd-Baden	1,245.9	127	+ 28.7	+ 2.4	48.2	3.8
Süd-Württemberg	1,153.3	106	+ 77.4	+ 7.2	62.1	5.4
Rheinland-P	2,843.8	143	- 118.3	- 4.0	78.2	2.8
FRENCH ZONE	5,243.0	130	- 12.2	- 0.2	188.5	3.6
WESTERN GERMANY	46,503.5	191	+ 7,165.0	+ 18.2	8,066.9	17.

LOCATION OF REFUGEES:

The main concentration is in the country areas. In 1946 in Stadtkreise and Landkreise refugees were 6 1/2 % and 20 % respectively of the total population. Some 900,000 refugees had moved into Stadtkreise but, because of the vast evacuation of the native population, the total population of Stadtkreise had fallen by nearly one-eighth since 1939. Refugees in the towns are now complicating the return of the native population. At the

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same time it is most desirable to move refugees to the towns to provide employment for them. Since 1946 there has been a slow return of the population to the towns.

ORIGIN OF CATEGORY "A" REFUGEES AT 29.10.46:

	British Zone %	U.S. Zone %	French Zone %
From E. of Oder/Neisse	79.3	26.2	33.6
From Poland	7.0	3.9	7.8
From Czechoslovakia	2.5	51.1	7.8
From Other Countries	11.2	18.8	50.8
	100.0	100.0	100.0

PRESENT INTAKE OF REFUGEES:

Some 30,000 new refugees of Categories "A" & "B" together are being registered each month in the British Zone; some 15,000 of Category "A" in the U.S. Zone where Category "B" refugees are not registered.

AGE AND SEX STRUCTURE:

Amongst Category "A" refugees the percentage of working age is roughly similar to that amongst the population as a whole, but the average age is definitely younger. There are more children proportionately and substantially fewer at the older ages. The sex distribution is slightly worse in the British Zone but better in the U.S. Zone and distinctly better in the French.

Category "B" refugees are very favourable on both age and sex distribution and constitute a very beneficial population from the point of view of the labour market.

HOUSING:

The only separate information for refugees is a small enquiry in Hesse which showed that refugees were roughly twice as cramped in their housing accommodation as the native population. This is probably at least true of the rest of the Bizonal area. The housing conditions of the population as a whole show overcrowding in the British and U.S. Zones.

Schleswig-Holstein have an average of about 2 persons per living room, the other Länder in the British Zone 1 1/2 persons or more. To give a ratio of 1 person per room would demand at least 6 1/2 million new living rooms for the British Zone. Conditions in the U.S. Zone are similar.

In the British Zone there is an average of under 7 sq. metres of floor space per person (only 5.4 in Schleswig-Holstein); in the French Zone the average is about 9 square metres.

A rough estimate shows the following increases in the number of persons per dwlling:

	British Zone	U.S. Zone	French Zone
1939	3.6	3.8	3.9
1946	5.5	5.4	4.2

The building of new houses in the British and U. S. Zones has failed to keep pace with the influx of new population. New refugees, we are informed, are in general crowded into existing houses in the possession of refugees and fresh demands are not being made on the native population.

About ¾ million refugees in the Bizonal Area are living in sub-standard camps (excluding transit camps).

EDUCATION:

British Zone figures suggest that the refugees have a reasonable share in the total number of scholars and university students, but there are no figures to show the relative standards of education.

LOCAL COUNCILS:

In NS on 28.11.48 only 18% of those elected to the Kreistage were refugees although their share in the total population was 30%. Four of the KPD candidates elected were refugees out of a total of 489 refugees elected.

PUBLIC WELFARE ASSISTANCE:

In the British Zone 300,000 refugees with 330,000 dependents were recei public welfare assistance. With the exception of Hamburg this represent 15% of refugees in each Land. Only 5% of the native population were on relief. The basis for relief differs in the U. S. Zone. In Bavaria and Hesse the proportions were 27% and 19% amongst refugees compared with 3% and 4% amongst natives. Despite, therefore, the relatively favorable age structure, a much higher proportion of refugees found it necessary to obtain relief.

EMPLOYMENT:

In January 1949, 7.0% of the labor force of wage and salary earners were unemployed in the British Zone, 8.4% in the U. S. Zone, but only 1.8% in the French Zone. U. S. Zone figures suggest that proportionately unemployment was over twice as high amongst refugees as amongst the native population. Laender with a high proportion of refugees have a high unemployment rate.

	Unemployed as percent of labor (a) force at 31.12.48		Percent of refugees in population at 1.10.48
	Males	Females	
Schleswig Holstein	15.2	11.1	38.2
Niedersachsen	8.9	6.7	30.0
Bayern	8.7	7.4	22.8
Wuerttemberg-Baden	2.0	2.3	19.2
Hessen	4.6	5.0	17.4
Nordrhein-Westfalia	2.2	3.6	8.8
Hamburg	4.7	3.6	8.3
Bremen	5.2	4.4	7.4
French Zone	1.8(b)		3.6

(a) Wage and salary earners only (b) At January 1949

Regular analysis of refugee employment is only possible separately for refugees in the U. S. Zone. It would appear that many refugees, probably mainly those previously self-employed, have failed to register for employment. Of those registered at the end of 1947 only 4% of the refugees were self-employed compared with 35% among the native labor force.

In the U. S. Zone Laender 31% of the male refugee workers registered had as their normal occupations agriculture or laboring: 38% of the female refugee workers registered were normally in agriculture or domestic service. 88% of the total registered male refugee labor force were employed at 1.10.48 and 71% were in their normal occupations. Those normally employed in agriculture, building or as laborers had most easily found their way into their ordinary type of employment. On the other hand a large share of those normally employed in food processing, catering and commerce had had to find other occupations. With women the situation was more favorable. Here 80% were employed in their own occupations.

Analysing the unemployed refugees amongst their normal occupations it was found that the actual numbers were highest in the following occupations:

Men: Commerce and Administration (18% of the total numbers unemployed) laborers and helpers (15%) metal and related trades (10%) agriculture (10%)

Women: Commerce and Administration (17%) Helpers Textiles (15%), Domestic Servants (13%)

Although the above figures suggest that the majority have found employment in their normal occupations, there has been a down-grading in the status of each occupation particularly in agriculture. This has already been shown in the large decline in the proportion of self-employed. The following selected figures relating to Nordrhein-Westfalia in August 1947 show this tendency:

OCCUPATION	% BEFORE MIGRATION			% AT 1.8.47		
	Self-Emp. & Family Helpers %	Officials & Clerks %	Manual Workers %	Self-Emp. & Family Helpers %	Officials & Clerks %	Manual Workers %
Men: Agriculture	60	4	36	3	3	94
Commerce	30	68	2	24	72	4
All Occupations	24	34	42	5	20	75
Women:						
Agriculture	59	3	38	2	1	97
Textiles	26	4	70	15	3	82
Commercial	18	80	2	7	90	3
All Occupations	18	44	38	3	21	76

Above report prepared by
Statistical Working Party.

Karl A. Shafer U. S.

J. de Portzamparc French

G. A. Deane British

2nd March, 1949.

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11 February 1949 T [illegible]/[illegible](49)8

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The attached papers

Extract from the League of Red Cross Societies' Information Service to National Red Cross Societies No 213 of 15th Jan 49 (Appendix A)

Report of the British Public Opinion Research Office on the Subject of Refugees (Appendix B)

Public Welfare Assistance and Refugees in the British Zone (Appendix C)

are submitted by the British Member for the consideration of the Tripartite Working Party on German Refugees at its third meeting.

EDWARD W. LAWRENCE
Recorder

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Appendix A to
TWPR/P(49)8

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Extract from the League of Red Cross Societies'
Information Service to National
Red Cross Societies No 213 of 15th January 49

LEAGUE TO SURVEY NEEDS OF GERMAN REFUGEE POPULATION

1. Following requests from several national Red Cross Societies, the League of Red Cross Societies has agreed to undertake a survey of the immediate needs of the German refugee population in the three Western Zones of Germany and Berlin. The survey will be made in cooperation with the national Red Cross Societies working in Germany and the Coordinating Committees of the Red Cross in Germany in the British, French and American Zones. It will be directed by Colonel L. de Meyer, League Delegate for Germany. Following the survey, a meeting will be held of representatives of the national Societies, the Coordinating Committees and interested international governmental and voluntary agencies to plan coordinated assistance to the German civil and refugee populations.

2. During the 17th International Red Cross Conference in Stockholm, in August 1948, at a meeting of representatives of Red Cross organization working in Germany, the League of Red Cross Societies was asked to coordinate the activities of these organizations in order to avoid duplication of effort.

3. More recently the Swiss Red Cross, following a mission of several of its members to the three Western Zones of Germany and noting the problems presented by the German refugee population, requested the League to survey the needs of this population and the efforts being made or planned to meet these needs, so that the Swiss Red Cross might expand its relief programme for Germany without infringing on the activities of the sister societies.

4. At present, seventeen national Societies are working in or sending relief to Germany, including those of the Argentine, Australia, Canada, Chile, Denmark, Great Britian, Ireland, Lichtenstein, Luxembourg, Netherlands, New Zealand, Norway, Portugal, South Africa, Sweden, Switzerland and the United States.

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TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Report of the British Public Opinion Research Office on the Subject of Refugees

REFUGEES

The definition used to describe a refugee by the Zonal Statistical Office and their German office is as follows:

"A refugee is a person who was dwelling in areas east of the British Zone on 1st September 1939, or who is a member of a family unit which was so dwelling on the same date".

This definition covers those persons who have moved from the Russian Zone or from east of the Oder Neisse line. It does not by any means include all those Germans who regard themselves as refugees.

P.O.R.O. has, over a period, asked "Do you regard yourself as a refugee?" and also has asked at the same time where the person dwelt on the 1st September, 1939.

These two questions have shown that more than one and two-thirds as many people regard themselves as refugees as are covered by Zonal Stats. definition. They consist of:

1. Persons evacuated because of bombing, from town in the British Zone.

2. Persons who have moved for similar reasons from the American Zone.

3. Persons who have moved for various reasons from the French Zone.

4. Persons who have moved for various reasons from Berlin, and

5. Persons who are repatriates from other countries.

Similarly about 3% of those who fall within the Zonal Stats. definition do not regard themselves as refugees.

A greater proportion of those describing themselves as refugees, but who are not covered by Zonal Stats. definition, are persons who were evacuated from bombed towns within the British Zone during the war.

This definition "a refugee" is of fundamental importance. It is important because in addition to those known statistically as refugees,

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are a number of persons who regard themselves as such, i.e., who feel their living standards and morale depressed by the fact that they are refugees. In this connection it must be mentioned that for industrial reasons, refugees from the East have been admitted to towns while the original inhabitants who fled as a result of bombing, are forced to remain away and now describe themselves as refugees.

An example: Near Vlotho, on the Weser, a family consisting of Mother and three adolescent children are living in primitive circumstances. The children, who were of school age in 1943, were evacuated from Gelsenkirchen and have never been able to return. In the dwelling, which was formerly occupied by these people in Gelsenkirchen, dwells as tenant-in-chief the Vlotho woman's brother and his family. The Gelsenkirchen family has, however, three sub-tenants who are now miners and who likewise regard themselves as refugees.

For the purposes of this enquiry, the definition of a refugee as laid down by the Zonal Statistical Office has been employed, but in the overall consideration of the refugee problem the claims of these other refugees should be considered and further, the reactions of those regarding themselves as refugees should be considered in relationship to any proposed legislation or schemes which would tend to differentiate treatment between the two types. It would be idle for those refugees, who, through circumstance, cannot physically return to their home towns to contend that the others, who in theory can physically return, are not bona fide refugees.

Comparing the refugee group with the native group on the question of sex and age one discovers there are proportionally more refugee children between the ages of four and seventeen and there are proportionally more refugee women of child-bearing age.

Attention is drawn here to the Zonal Stats. table which on the question of sex distribution is liable to misinterpretation.

Dealing with certain age groups of women of child-bearing age it shows that the proportion of women in the same age in the native population is two percent higher for refugee women, but because only six percent of the total female native population fall in this age group an additional two percent is not two in a hundred women more but is thirty-three women more per hundred.

When one further considers that the disparity between the sexes in the native population in this age group is nearly two women to every man, the figures indicate that in the case of the refugee community the sex disparity is almost three women to every man. This predominance of women of child-bearing age in the refugee community if it is not to integrate with the native population is a serious sociological and psychological factor.

The geographical distribution of refugees is such that refugees tend to be found in greater numbers in unbombed and therefore agricultural areas. The chaos of German urban life at the end of the war, when over forty-five percent of all dwellings were uninhabitable forced the refugees to migrate to portions of the country which were relatively undamaged. Therefore, Schleswig-Holstein and parts of Niedersachsen have proportionally the largest numbers of refugees.

P.O.R.O. has noticed, however, that for the last two years there has been a tendency for the refugees, male especially, to move westward. The manpower requirements of the Ruhr mining industry are not the least factor in this westward move. Seen, however, from a sociological viewpoint, the splitting of families by this westward movement is an additional cause for mental instability in refugees.

The following table shows the monthly income of refugees compared with natives:

Monthly Income		REFUGEES		NATIVES	
		%	%	%	%
DM	40 - 60	14	15.5	7	9
	61 - 80	7	8	5	6
	81 - 100	9	10	5	6
	101 - 120	8	9	5	6
	121 - 140	7	8	4	5
	141 - 170	11	12	9	11
	171 - 200	14	15.5	16	19
	201 - 250	8	9	11	13
	251 - 300	6	7	8	10
	301 - 400	4	4	7	9
	401 - 500	1	1	2	2
	Over 500	1	1	3	4
	Unspecified	10	100%	18	100%
		100%		100%	

The above table broken on age against income follows:

NATIVES

Age:		Under 20	21 - 24	25 - 32	33 - 40	41 - 48	49 - 56	57
		%	%	%	%	%	%	%
DM	40 - 60	28	6	7	8	12	10	29
	61 - 80	9	6	16	13	4	13	39
	81 - 100	8	7	15	15	13	8	34
	101 - 120	6	14	14	25	14	8	19
	Total 40 - 120	14	8	12	14	11	10	31

NATIVES

		Under 20	21 - 24	25 - 32	33 - 40	41 - 48	49 - 56	57
DM	121 - 140	5	15	20	14	15	12	19
	141 - 170	5	10	18	23	19	12	13
	171 - 200	3	7	21	19	21	15	14
	201 - 250	1	6	19	31	22	12	9
	251 - 300	-	2	15	27	30	13	13
	301 - 400	1	2	13	31	22	20	11
	401 - 500	-	2	11	23	32	21	11
	Over 500	-	-	11	14	31	26	18
	Unspecified	12	7	14	15	19	13	20

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REFUGEES

Age:	Under 20	21 - 24	25 - 32	33 - 40	41 - 48	49 - 56	57
	%	%	%	%	%	%	%
DM 40 - 60	14	8	11	14	17	10	26
61 - 80	8	16	14	21	14	16	11
81 - 100	5	9	22	12	21	20	11
101 - 120	7	9	19	33	15	10	7
Total 40 - 120	9	10	16	19	17	14	15
121 - 140	-	10	29	21	19	8	13
141 - 170	3	15	19	25	17	13	8
171 - 200	3	8	30	24	16	9	10
201 - 250	4	4	23	26	25	9	9
251 - 300	-	5	33	31	18	15	8
301 - 400	-	-	14	46	22	11	7
401 - 500	-	-	-	20	30	30	20
Over 500	-	-	25	13	36	13	13
Unspecified	1	12	19	28	14	19	7

Those unwilling to disclose their earnings should not necessarily be considered to belong to the higher wage groups. Students, daughters of the house, agriculturists with a small money wage and some unemployed are included in this group together with a few unwilling to reply. It has been found that men and especially women of over fifty are reticent in disclosing their actual income. The difference between the proportion of refugees and natives unwilling to disclose their incomes is symptomatic of the refugees' attitude; he does not care who knows he is in a bad position.

The age distribution of the lower earnings are of great importance. They show that whereas low earnings are earned by the lower age groups, the low earnings in the refugee group are found in the age groups where one would expect to find family commitments, i.e., they include widows with pensions and out relief for mothers with young families.

If one takes the income group 141 - 170 DM as normal earnings for a working man, then of those who replied to this question 62 1/2 % refugees receive less than 170 D. Marks per month, i.e. throughout the whole of the income scale the refugee receives less than the native, but on the other hand, if one takes 120 marks as a minimum living wage then almost 60% of the refugees are in receipt of a sufficient income to enable them to live. 15.5% of the refugees are receiving under 60 marks per month, this figure is no indication of the number of persons who must be supported on this low income.

The real problem, however, arises in that earnings of under 120 marks per month are also received by 27% of the native population over 18, but this 27% of the native population includes many young persons who, in a normal society, would be receiving low incomes.

P.O.R.O. surveys have shown that whereas natives in the income groups below 120 marks must support with their income 1.95 persons, whereas refugees in the same income groups must support 2.2 persons. The sample on which these figures are based is fairly small and further surveys might slightly alter this estimate. About half of those persons described as refugees receive less than the average German's income or are members of a family group whose income is less than the average German income.

This, however, is not the whole story. Refugees live mainly in country areas and under circumstances that rents are most certainly cheaper for them than for town dwellers and in many cases foodstuffs also. Furthermore, their requirements of fuel are likely to be less than for the population as a whole. It must not be forgotten, however, that poverty in the Zone is not restricted to East refugees, or in fact to any refugees and all that can be said is that when dealing with refugees as a group one finds proportionally more than one and one-third as many poverty-stricken people among this group as in the native population.

Income figures do not, however, tell the whole story. Refugees have, during their flight, lost many personal possession, for example, in a group of refugee and non-refugee mining apprentices it was found that the average number of shirts per native apprentice was over five, the number possessed by refugee mining apprentices averaged slightly over one. With suits, the figures were over two for the native and one for the refugee. In questioning university students it was found that the number of text-books possessed by the native students was over ten, the average of the refugees was less than one.

In the community to-day, the refugee therefore, has not only a lower income but greater need.

Where the refugee is housed in camps or emergency accommodation their position is often extremely bad and certainly worse than the housing conditions of the native. In a school in Bielefeld for example, eleven refugee families consisting of over 50 persons live together in one school room (including cooking, eating and sleeping). Many refugees in camps are grossly overcrowded by British standards. Where the refugee is living in requisitioned accommodation it is not usual that the resident family have given up the best rooms to them but on the other hand the refugee often has the same proportionate amount of space as the native. It is especially in housing that the Zonal Stats. definition of a refugee covers proportionally the fewest of those people suffering from bad housing, as bombed out people, and natives themselves are equally badly served with regard to housing.

The family mentioned previously as an example and dwelling in Vlotho have two small rooms between them. The family consists of mother, son (19), daughters (17 and 16). The impact of the refugee on native housing is the cause of much friction and often the position of the native is, to say the least of it, uncomfortable. An example is given: a bed-ridden man of 67 and his wife have one room and a kitchen. The daughter, a trained nurse who must remain at home, and her husband, have one small room, access to which is gained only through passing through the living room requisitioned for refugees. The hours kept by the refugees as a result of the refugee man's employment - he is a musician - are such that the young couple cannot enjoy normal marital life. As a result of this, the daughter is now in a severe neurotic state and is in hospital.

To sum up housing: A great many refugees are still in camps or emergency billets and their position is not comparable to any section of the native population as even the evacuees from the bombed British Zone cities are entirely removed from this type of accommodation. Some of the accommodation offered, however, to the native bombed out persons is very primitive. One case is known of a policeman with wife and three children living in a hut less than twelve feet square as a result of being bombed out.

When dealing with income, nothing has been said of normal potential earning capacity and it is probable, though no exact figures can be given,

that the refugee is more frequently employed in labour which does not make full demands upon his capacity than the native. In this connection, P.O.R.O. discovered that whereas over 90% of all natives asked whether they enjoyed their work and felt they were doing a worthwhile job said they did, compared with this only 35% of all refugees were of the same opinion.

The problem of mis-employment is not merely one of the refugee having to begin again and work his way up, but that the refugee by force of circumstance is geographically badly placed to carry out the work for which he has the skill and capacity. It is not unlikely, because of the methods used by the Germans when evacuating, that a larger proportion of highly trained persons became refugees than did persons of lower educational standards. In Schleswig-Holstein for example, there are proportionally far more university graduates in the refugee group than in the native group.

The refugees' ability to ensure that their children receive the educational advantages that they themselves had is much less for the population as a whole and P.O.R.O. has pointed out in the report on school children and on mining apprentices that unless facilities were made available for the refugees, refugee children of sufficient intelligence would not receive the benefits of higher education because of the financial position of their parents.

Another cause of the pauperisation of the refugee is the split family. A great many refugee men work in the industrial areas while their wives and children still reside in rural areas or even in camps. The man, therefore, must maintain himself and make an allowance to his family. A difficult procedure on a small income. There are not a few families who are split across the Zonal Boundaries and the change of currency makes it impossible for monetary allowances to be transmitted.

Much can be written on the psychologial attitude of refugees, but one thing must be stated at the outset and that is a great many of them are resigned to their financial lot. They have irrevocably lost so much that they are not buoyed up by false hopes that they shortly will acquire compensation for their losses. Their requirements have been reduced by circumstances; rent and fuel cost less than they would normally expect to pay and although this is a generalisation, P.O.R.O. has discovered that whereas over two-thirds of the refugees felt they could manage reasonably well on their income, only one-quarter of the native population said that they could.

The attitude of the German native population can be compared with the attitude of the English rural population to evacuees. Not a few refugee families, however, are quartered with friends of long standing or relatives. Other young refugee males have become part of native families, especially where the sons of the native families have been lost in the war, and especially in farming families. In these cases the refugee occasionally takes the native families' name.

The feeling of loss and rejection that the refugee suffers adds to their already great German predeliction for instability and neurosis. P.O.R.O. has no figures on the prevalence of conversion hysteria among refugees, but from observation and knowledge of local hospitals, these most certainly exist to a proportionally greater degree than among the native population.

The dislike of the native population for the refugees is shown in

constant pin-pricking activities and great ingenuity is shown by some Germans, with their National ability for kicking the under-dog, to devise unpleasantnesses. Oldenburg, for example, had particular difficulty because some of its worthy citizens refused to let refugees use their lavatories, and the Oberburgermeister was not a little concerned by the potential typhus danger which might result to the indiscriminate hurt of righteous burgher and worthless refugee.

A great many of the native population are salving their consciences with regard to their responsibility towards refugees by maintaining that it is the fault of the Allies by agreeing at Potsdam to the evacuation by Germans of territories East of the Oder Neisse line. Adenauer told P.O.R.O. yesterday, for example, that the evacuation from the East of the Oder Neisse line was a well thought out plan by Stalin to encompass the downfall of the German race and, in their folly the other Allies did not see this. In other words, the animosities between refugees and native, while preventing the integration of the refugees in the existing community, are not strong enough to cause open breaches of the peace or deadly hatred, so long as the Allies are still in Germany and can be used mutually by both native and refugee as the cause and author of their present plight. It is obvious that the native suffers considerably in his comfort and general well-being by the presence of refugees. He resents their presence and shows it as often as he can.

Housing conditions, food situation, shortage of consumer goods, and not least, the fact that a large number of refugees must be supported from public funds gives the German, with his parochial outlook, good cause to dislike the refugee and to resent any moves which are made to better their conditions.

Rejected by the community in which they live, the refugee tends more and more to coagulate into small refugee groups. These groups at the moment heighten the nostalgia of the participants and lead to deep emotionalism under which is expressed the urge to recover their lost home land, by the sword if necessary. In few cases has emotionalism led to action, but the hysteria of the refugee meetings addressed by Pastor Knees show the type of inflammable material which self-seeking politicians or fanatics have to deal, and that although the majority of the refugees are comparatively resigned to their fate they can be easily and dangerously moved by "little Fuhrers" seeking to make cheap political capital.

P.O.R.O. reports in which refugee problems are mentioned are given in Appendix "A".

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APPENDIX "A"

LIST OF P.O.R.O. REPORTS

No. of Report		Title		Remarks
262	Special:	"German Attitude to an Equalisation of Burdens"	para. 2:	Schleswig-Holstein with great proportion of refugees, more than other regions, considers "Lastenausgleich" unnecessary. Refugees considered to benefit in the first place (50%).
259	Special:	"Radio Listenership in British Occupied Germany"	para 1:	"Radio Audiencee". Shortage of wireless-sets among refugees. (12 out of 20 have no sets).
257	Special:	"Die Brucke" Information Centres"	para 1.5):	Refugee-visitors out of proportion to their numbers in population. "Brucke" serves as place where refugees can meet; this trend not confined to areas with large refugee-population; overcrowding and bad housing conditions are a major reason for this.
237	Special:	"Currency Reform" (3)	Table III:	Natives in Niedersachsen and Holstein think Currency Reform should have waited for Four-Power agreement in the hope that refugees might have regained part of their fortune and ceased to be a burden on Land finances. Schleswig-Holstein's refugees contribute largely to Land opinion that Currency Reform will not be successful.
233	Special:	"Germans Greatest Cares and Difficulties (July 1948)"		Schleswig-Holstein with large number of refugees mentions food less than other areas, but there is a higher percentage mentioning housing and separated families. Niedersachsen also put more amphasis on separated families but less on housing than other Regions.

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No. of Report		Title		Remarks
225	Special:	"Germans and the Establishment of a West-German Government"	page 5:	Majority in the Zone favour special representation of refugees in a West-German Assembly. Refugees themselves are more in favour. But few refugees wish to integrate themselves with a West German Society; most wish to return to their own homes and fear that West German Government makes this possibility remote or takes little account of their demands. Schleswig and Holstein showed comparatively largest proportion of natives who were against special representation for refugees.
220	Special:	"German Expectations of a Major War"		High proportion of those in Niedersachsen and Schleswig who expect war before the end of 1949 may be due to large numbers of refugees who are more susceptible to war-rumours and see in war only hope of returning to their native districts.
214	Special:	"Native and Refugee Populations"		Figures suggest a moderate influx of refugees since October 1946 Census and a tendency by refugee-population to spread westward within the Zone.
207	Special:	"Germans Greatest Cares and Difficulties (April 1948)"		Schleswig-Holstein with large refugee population mentioned as first choices housing and household difficulties; second choice "clothing".
199	Special:	"Compensation for Refugees"		Only 16% against compensation for refugees (24% in Hamburg); Refugee-areas naturally show highest proportion in favour of re-distribution of wealth.
197	Special:	"German Expectations of a Major War"		Schleswig-Holstein's large and anti-Russian population of refugees tends to be more pessimistic since they regard war as only hope of returning East.
187	Special:	"Should Six Years at Primary School be Compulsory?"		Schleswig and Niedersachsen with large refugee populations are most against the reform.

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No. of Report		Title	Remarks
182	Special:	"Germans and News Sources"	Relatively high vote for non-party newsmedia in Schleswig and Niedersachsen suggests that refugees are not absorbed and tend to feel that no party represents them.
172	Special:	"Attitude in Schleswig-Holstein to Employment (December 1947)"	Large percentage of those who are not working at their own job (48%) accounted for by great proportion of refugees. Dissatisfaction with present job greatest among refugees. They also consider their present employment as less important for general good than the natives theirs.
162	Special:	"Refugee Opinion on the Attitudes of Natives of Niedersachsen towards Refugees"	Condemnation of both local inhabitants and local officials in their attitudes towards refugees, (broken down by R.B's). Majority think local authorities should be represented on refugee-organisations.
154	Special:	"Notes on the Proposed Educational Reform in the British Zone"	Number of refugee-children attending secondary-schools lower than their proportion in the population as a whole, i.e. refugees, because of their financial position unable to attend fee-paying schools. Currency-reform would sharpen this tendency.
133	Special:	"Views of Niedersachen town-residents on relations with Refugees"	Majority believe refugees should be treated just as well as normal residents, but would give them priority in any future emigration scheme.
124	Special:	"Some German Views on National Socialism"	(Views on National Socialism and attitude to Refugees). Eastern refugees less likely than natives to condemn National Socialism as "bad".

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TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Public Welfare Assistance and Refugees in the British Zone

SUMMARY OF CONCLUSIONS

1. In general the following conclusions apply only to Schleswig-Holstein, Niedersachsen and Nordrhein-Westfalen. In Hansestadt Hamburg, owing to the strict regulations governing admittance of refugees, there are relatively few refugees receiving assistance and the statistics for this city are abnormal.

a. In the British Zone as a whole 18% of the population are refugees; in Schleswig-Holstein and Niedersachsen the percentages are 38 and 30 respectively.

b. The proportion of refugees receiving regular assistance averages uniformly 15% in each of the three Länder. This does not suggest therefore that the relatively large number of refugees in Schleswig-Holstein has resulted in proportionately greater economic hardship for them. A detailed examination of Nordrhein-Westfalen shows that the proportion of refugees receiving assistance in any individual Kreis rises to a maximum of 25%. In contrast, on the average only about 5% of the "native" population are receiving relief.

c. Of those receiving assistance, 40% are refugees. The proportion is as high as 60% in Schleswig-Holstein and Niedersachsen, and is 20% in Nordrhein-Westfalen. The average amount of assistance paid per head is the same for the refugees as for the "native" population.

d. Total Welfare costs amount to 7.5 DM per quarter per head of the population in Schleswig-Holstein, and are 5.6 and 5.2 in Niedersachsen and Nordrhein-Westfalen respectively.

e. Amongst those drawing assistance, the number of dependents amongst refugees does not differ from that amongst "native" Germans, suggesting that the family composition of this non-economic group is uniform.

DETAILED ANALYSIS

Source of Information

2. There are two sources of information used:

(i) Tables of statistics of public welfare assistance in Monthly Statistical Bulletin for November 1948 pages 156 and 157;

(ii) A special table showing information by Kreis for Nordrhein-Westfalen.

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Proportions of Persons drawing assistance

3. The following table relates to the position at 30th September 1948.

Table I: Proportion of Persons (including dependents) drawing Regular Assistance

Land	Refugees as % of total popln.	Refugees Total Number	Refugees No.recg. regular assistance	Refugees % recg. regular assistance	Persons other than Refugees Total Number	Persons other than Refugees No.recg. regular assistance	Persons other than Refugees % recg. regular assistance	Total: All Pers Total Number	Total: All Pers No.recg. regular assistance	Total: All Pers % recg regular assistance
(1)	(2) %	(3) Thous.	(4) Thous.	(5) %	(6) Thous.	(7) Thous.	(8) %	(9) Thous.	(10) Thous.	(11) %
Schleswig-Holstein	38.1	1,034.4	160.3	15.5	1,677.9	111.2	6.6	2,712.3	271.5	10.
Hansestadt Hamburg	8.4	125.7	1.7	1.4	1,377.2	50.5	3.7	1,502.9	52.2	3.
Niedersachsen	29.9	2,017,2	303.0	15.0	4,727.8	193.9	4.1	6,745.0	496.9	7.
Nordrhein-Westfalen	8.8	1,111.4	163.1	14.7	11,497.2	581.2	5.1	12,608.6	744.3	5.
Total British Zone	18.2	4,288.7	628.1	14.7	19,280.1	936.8	4.9	23,568.8	1,564.9	6.

(a) Excluding Foreigners in Camps

4. The above table shows that, apart from Hamburg, the proportion of refugees receiving assistance is remarkably constant at 15% compared with approximately 5% amongst the "native" population. An analysis by individual Kreise has been made for Nordrhein-Westfalen only. Here, out of a total of 95 Kreise, there were 13 where more than 20% of the refugees were receiving assistance, the highest percentage being 24.6.

Hamburg shows a situation quite different from the rest of the Zone. It is suggested that this is due to the strict qualifications required for the admission of refugees for residence. This includes, it is understood, proof that work had been found.

Refugees constitute 18% of the total population, but of those receiving assistance 40% are refugees.

The Cost of Assistance

5. The analysis above shows only the number of persons benefiting from regular assistance. The number receiving casual assistance is not known, but the cost of casual assistance (included in the final columns of the table

below) is only about one-tenth that of regular assistance. The following table shows the proportion of the total cost of assistance which is absorbed by refugees, together for comparison with the corresponding proportion based on numbers of persons.

Table II: Total Costs of Assistance

Land	No. of Persons 30th September 1948			Cost of Regular Assistance 3rd Quarter 1948			Total Welfare Cost 3rd Quarter 1948		
	Total No. recg. regular assistance	Refugees recg. regular assistance	Refugees as % of total	Total Cost	Cost to Refugees	Refugee Cost as % of Total	Total Cost	Cost to Refugees	Refug cost % of Total
(1)	(2) Thous.	(3) Thous.	(4) %	(5) DM 000	(6) DM 000	(7) %	(8) DM 000	(9) DM 000	(10) %
S.Holstein	271.5	160.3	59.0	18,024	10,794	59.9	20,450	11,891	58.2
H.Hamburg	52.2	1.7	3.3	3,896	102	2.6	4,564	104	2.3
N'sachsen	496.9	303.0	61.0	34,682	20,668	59.6	37,440	22,030	58.8
Westfalen	744.3	163.1	21.9	60,952	13,090	21.5	64,986	14,512	22.3
TOTAL British Zone	1564.9	628.1	40.1	117,554	44,654	38.0	127,440	48,537	38.1

(a) Regular Assistance plus Casual Assistance

6. The following table shows purely for comparative purposes, the approximate average per head costs of assistance. The averages are not correct since they are obtained by dividing costs during the third quarter by the number of persons at the end of the quarter, instead of the average number of persons during the quarter.

Table III: Approximate Average Costs per head

	Welfare Costs in 3rd quarter of 1948 per head of total population		Average amount of regular assista paid per quarter per head of the recipients (c)	
	Total Welfare costs (a)	Welfare costs of Refugees only (b)	Average paid per head to all persons (d)	Average paid pe head to refugee
(1)	(2) DM	(3) DM	(4) DM	(5) DM
Schleswig-Holstein	7.5	4.4	66	67
Hansestadt Hamburg	3.0	.1	75	60
Niedersachsen	5.6	3.3	70	68
Nordrhein-Westfalen	5.2	1.2	82	80
British Zone	5.4	2.1	75	71

(a) Found by dividing Col. (8) of Table II by Col. (9) of Table I
(b) Found by dividing Col. (9) of Table II by Col. (9) of Table I
(c) This is largely fictitious since it assumes that the same individuals receive assistance throughout the quarter.
(d) Found by dividing Col. (5) of Table II by Col. (10) of Table I
(e) Found by dividing Col. (6) of Table II by Col. (4) of Table I

7. The above table shows

(i) refugee welfare is costing about 17 DM per annum per head of the population in Schleswig-Holstein, 13 DM in Niedersachsen, and 5 DM in Nordrhein-Westfalen, and only 0.4 DM in Hamburg.

(ii) over the Zone as a whole the cost is 8 DM per annum per head of population, compared with a cost of 13 DM for persons other than refugees.

(iii) the actual assistance payments made to refugees are on the same scale as to the rest of persons assisted.

Types of Persons receiving Assistance

8. The following table analyses the types of persons who are receiving regular assistance. Similar figures are not available for those receiving casual assistance.

Table IV: Types of persons receiving regular assistance

Type of Case	No. of cases assisted at 30.9.48	No. of Persons Assisted including dependents	No. of persons assisted per case	Cost of regular assistance in 3rd quarter 1948	Average Cost per quarter per case	Aver cost quar per assi
(1)	(2)	(3)	(4)	(5) DM 000	(6)	
Refugees	296,791	628,130	2.1	44,654	151	71
Immigrants	12,853	26,774	2.1	2,020	157	76
Evacuees	39,788	84,642	2.1	6,432	162	76
War-disabled persons (services and civilians)	95,398	208,752	2.2	13,425	141	65
Families of missing persons	106,735	271,585	2.5	24,186	227	89
Ex-inmates of concentration camps etc.	7,321	14,238	1.9	1,887	258	133
Recipients of social insurance pension	68,590	109,643	1.6	6,675	97	61
Foster-children	9,818	9,861	1.0	681	69	69
Other persons (a)	112,481	211,321	1.9	17,594	156	88
Total	749,775	1,564,946	2.1	117,554	157	75

(a) Including

(i) Persons drawing small pensions
(ii) Other recipients of general welfare benefits and
(iii) Recipients of minor welfare benefits.

9. The most important indication of the above table is that the number of persons assisted per case amongst refugees is about the same as amongst all persons assisted, suggesting that the family composition of assisted refugees is no different on the average from that of other persons assisted.

8th February 1949

G. A. DEANE
Zonal Statistical Office,
Minden,
64 H.Q. C.C.G. (BE),
B.A.O.R. 1.

RESTRICTED

9 January 1949 TWPR/P(49)7

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

SUBJECT: Transfer of Refugees from Land Schleswig-Holstein

TO : Duty Secretary of the Bipartite Board
BISEC

At its second meeting on 25 January 1949 the Tripartite Working Party on German Refugees considered letter, BISEC, "Transfer of Refugees from Land Schleswig-Holstein", BISEC/Sec(49)39, 18 Jan 49, and agreed that this matter would be considered by the Working Party as part of the general problem of redistribution of German refugees.

EDWARD W. LAWRENCE
Recorder

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8 February 1949

TWPR/P(49)6

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The attached papers:

Comments of the United States Economics Adviser on the Agreed Statement of the Refugee Problem, dated 26 Jan 1949 (Appendix A)

Comments of the United States Economics Adviser on the Agreed Statement of the Refugee Problem, dated 29 Jan 1949 (Appendix B)

Comments of the United States Manpower Division on the Agreed Statement of the Refugee Problem (Appendix C)

are submitted by the United States Member for the consideration of the Tripartite Working Party on German Refugees at its third meeting.

EDWARD W. LAWRENCE
Recorder

RESTRICTED

8 February 1949

Appendix A to
TWPR/P(49)6

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Opinion expressed by the United States Economics Adviser on our agreed statement of the Refugee Problem (TWPR/P(49)1

1. Reference is made to minutes of the first meeting of the Tripartite Working Party on German Refugees and to paper TWPR/M(49)1. I have two comments on the coordinated statements of the Military Government officers concerned.

2. Statement 2 should be modified to indicate that the unfavorable prospect for large-scale assimilation of the refugee population is due primarily to lack of housing and accommodations in areas where the population could be advantageously employed. I do not agree that opportunities of employment will be lacking.

3. As regards Statement 4-c, it would appear that there exists some misapprehension regarding the future development of industry in Western Germany. The statement indicates that the "expansion of planned level of industry" is something which depends upon governmental decisions and that if a favorable decision is given, a solution to the refugee problem may be found. This is of course not the case. In planning for the revival of the German economy, the most optimistic assumptions possible have been made, and except in the field of limited and prohibited industries, there is no ceiling on the expansion of German industrial production. It is not felt it can be alleged at the present time that German recovery is being hampered to an important degree by the restrictions on limited and prohibited industries, and this Office cannot agree that it is appropriate to forecast now that Germany cannot attain, without a relaxation of the regulations regarding restricted industries, an adequate standard of living for all its population, including refugees.

8 February 1949

Appendix B to
TWPR/P(49)6

TRIPARTITE WORKING GROUP ON GERMAN REFUGEES

Opinion expressed by the United States Economics Adviser on our agreed statement of the Refugee Problem (TWPR/P(49)1

1. As requested in IRS to this office dated 25 January and as contemplated in the minutes of the 17 January meeting of the above-named Working Party, the views of this office on the Committee's report follow.

2. In accordance with General Clay's position as stated in his letter to General Robertson of 4 December 1948, the function of the Tripartite Working Party is merely to prepare recommendations for later submission to and action by the Germans themselves. It is believed, however, that these recommendations should be quite explicit and definite and that the Working Party should arrive at its final conclusions as quickly as possible, as the problem is a serious and pressing one.

3. It is believed the Working Party should not concern itself with such matters as revision of the Eastern frontiers of Germany but should confine its work and suggested solution to matters and the geographical area under the jurisdiction of the three Military Governors. Although expressions of opinion on matters involving high policy, such as those contained in the "Coordinated Statements" on the conference of 3 December 1948, have served a useful purpose in pointing out the basic difficulties underlying the refugee problem, they should in general be avoided in any recommendations to be passed to the Central Government.

4. Regarding the matter of emigration, any such move on a large scale should include, together with the able-bodied men, a proportionate number of dependents, etc., since emigration merely of the best and most useful manpower elements would make the situation worse than it is now. Such an understanding might well be embodied in the Working Party's recommendations.

5. All suggestions of the Working Party should be based on two types of coordinated statistics:

a. detailed data on the composition of the refugee population (age, sex, training, location and physical fitness); and

b. information on the opportunities for employment, housing, etc., in the various Laender and their subdivisions, including data on the present number of inhabitants compared to prewar.

It is understood that the data referred to under a. are now being assembled via the Bipartite Statistical Office, as stated in the minutes of the Minutes of 17 January 1949. This action, therefore, should be augmented at once with a corresponding compilation of the data referred to under b.

6. The receptive attitude of the French authorities and of the French Military Governor on the matter of receiving substantial numbers of refugees in the French Zone is very much appreciated. It is hoped that, with the rapid approach of spring, definite proposals on the part of our French associates in this problem will be forthcoming soon since in terms of population statistics, it is their Zone that offers the greatest possibiliti

8 February 1949

Appendix B to
TLPR/P(49)6

However, if greater progress can be achieved in solving the acute housing problem in the highly industrialized Ruhr and Rhine-Westphalia areas of the British Zone, these areas should help in the solution since they seem to offer best immediate employment opportunities, besides being less refugee-crowded. An influx of able-bodied workers and their families to these areas, perhaps from Schleswig-Holstein, Lower Saxony and Bavaria, might create a measure of labor competition there, which apparently is non-existent now, and thus help to overcome reported resistance against Sunday work, etc.

8 February 1949

Appendix C to
TWPR/P(49)6

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Opinion expressed by the United States Manpower Division on our agreed statement of the Refugee Problem (TWPR/P(49)1)

1. We believe there is at present little use discussing the possibility of redistributing the population of Western Germany over the whole of Germany, including the Soviet Zone of Occupation and the territory currently under Polish administration. We further believe that there is little prospect in the foreseeable future of extensive emigration of the German population. Therefore, any undertaking designed to relieve the overcrowding with refugees in certain areas should be approached from the point of redistributing the present population of Western Germany within that area. To accomplish this, it seems to be necessary:

a. to secure information, including age and sex distribution and occupational skill, of all refugees who are not considered as having permanently settled in the communities or areas in which they are presently located;

b. to determine the employment possibilities throughout Western Germany.

2. In order to determine the employment possibilities, consideration should be given to the creation of new sources of employment, both agricultural and industrial, taking into consideration:

a. desirable distribution of population throughout Western Germany;

b. availability of housing or possibility of providing housing;

c. development or expansion of industries which will make a maximum contribution to the raising of general economic standards and the development of a peaceful economy; and

d. making maximum use of local resources, skills, and environmental factors.

3. The appropriate next step for the Working Party would be the collection of the necessary factual information.

4. With regard to emigration, if possibilities should develop, we wish to point out that plans must provide protection against draining the population of the physically and occupationally best qualified. Such selective emigration would do more harm than no emigration at all.

5. Representatives of the Economics Adviser's Office have indicated concurrence in the approach outlined in these comments.

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25 January 1949

TWPR/P(49)5

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The attached paper

Extract of the Memorandum on the Long Term Programme for the French Zone of Occupation

is submitted by the U.S. Member for the consideration of the Tripartite Working Party on German Refugees at its second meeting.

EDWARD W. LAWRENCE
Recorder

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25 January 1949

TEPR/P(49)5

MEMORANDUM ON THE LONG TERM PROGRAMME

FOR THE FRENCH ZONE OF OCCUPATION

Extract

* * *

DEMOGRAPHICAL ESTIMATES

For 1948/49, the population of the French Zone of Germany amounts to 5,162,000.

The probable excess birth-rate should bring about an increase of approximately 16,000 inhabitants per annum till the middle of 1951 and of 20,000 till the middle of 1952, i.e. a total of 68,000 inhabitant..

Moreover, the return of 100,000 prisoners of war is expected in the Zone.

Furthermore, provision must be made for some transfer of the surplus population of the two other Western Zones. Up to the middle of 1948, Western Germany had received 7.000.000 refugees. A proportional distribution among the three Western Zones, in relation to the local population, gives the figure of 900,000 for the French Zone. Taking into account the fact that most of these refugees are already completely acclimatised to their new surroundings and will be opposed to any further move, it may be admitted that only one third of the hypothetical figure referred to above, i.e. 300,000 will eventually be transferred to the French Zone.

Finally, more refugees are expected and the French Zone will probably have to accept a considerable share, estimated at about 100,000. The fact that the population is relatively less crowded and that the housing problem is relatively less acute will probably attract 50,000 others in the course of the next two years, so that the influx of population through immigration will reach a total of 450,000.

Population	1948/49	1949/50	1950/51	1951/52
Beginning of the year	5,162	5,480	5,620	5,730
Excess birthrate	16	16	16	16
Return of prisoners of war and immigration of refugees	302	124	94	50
Total number at the end of the year	5,480	5,620	5,730	5,800

* * *

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25 January 1949 TPW/P(49)4

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

SUBJECT: World Council of Churches' Conference on German Refugees

At a conference between Dr. Heinz Kloppenburg and Rev. Robertson on January 7th, 1949, the whole matter of the Refugee Conference was discussed in detail. In the course of the conference we consulted Dr. Hans Lilje, President Martin Niemoeller and Minister Albertz of Hannover. The following is a summary of the points of agreement:

I. NATURE OF CONFERENCE

The Conference will meet in private session and no Press representatives will be present. So far as publicity is concerned there will be a Press conference before the World Council of Churches' Conference meets, and a second one before the end of the Conference. After the Conference a Press release will state the decisions which have been arrived at.

II PURPOSE OF CONFERENCE

The purpose of the Conference will be:

a. Fact Finding - To consider material presented to the Conference, and to examine the exact extent of the problem as well as its influence upon German life now and in the future.

b. To examine specific cases where the refugee problem has been tackled, and to collect examples of failure as well as success.

c. To decide which existing schemes should be assisted and to develop certain pilot schemes to follow the Conference.

III PLACE AND DATE OF CONFERENCE

It is proposed to convene the Conference at Hamburg on February 22nd, 23rd and 24th, 1949. Meetings will be held, if possible, in the Rathaus and the Committees in adjoining buildings.

IV SCOPE OF THE CONFERENCE

This shall be confined to the British Zone of Germany, but it is hoped that the presence of observers from the U.S. and French Zones will provide liaison for any future over-all plan, and serve to keep before the Conference the essential unity of the problem.

V MEMBERSHIP OF THE CONFERENCE

The Conference will be convened in the name of and by the World Council of Churches' Refugee Division. It is hoped that the membership will be about fifty, including observers and experts. Invitations will be sent as follows:

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25 January 1949 TWPR/P(49)4

1. Germany
Evangelical Churches
Bishop Hans Lilje
President Martin Niemoeller
Bishop Halfmann-Kiel
Bishop Wester-Schleswig
Praeses Held-Essen
Praeses Wilm-Westphalia
Bishop Schoeffel-Hamburg
Oberkirchenrat Fricke-Francfort
Prof. Hans Iwand-Goettingen
Dr. E. Crous-Goettingen (Mennonite)
P. Riemenschneider-Duesseldorf (Evang. Free Church)
Dir. Renkewitz-Bad Boll (Moravian Brethren)
Dr. Eugen Gerstenmeier-Stuttgart
Dr. Federer-Stuttgart
Dr. von Lukowitz-Stuttgart
Pastor Muenchmeier-Bethel
Superintendent Schulze-Hannover
Dr. Girgensohn-Bethel

Bizonia Administration
Dr. Middelmann-Stuttgart
Minister Albertz-Hannover
Minister Damm-Kiel
Minister Amelunxen-Duesseldorf
Buergermeister Brauer-Hamburg
H. Schuetz, Munich (Wirtschaftsrat)
Dr. von Manteuffel (Fluechtlingsverwaltungen)

2. Control Commission Germany (British Element)
To be nominated from the Foreign Office
To include representation of
Religious Affairs
Welfare
Regional Governmental Officers
Economics and Manpower
Pol. Div.

3. World Council of Churches - Refugee Division
Dr. Robert Mackie (Director, Dept. of Reconstruction)
Bishop J. Blair Larned (Chairman, Refugee Committee)
Elfan Rees (Director, Refugee Division)
Heinz Kloppenburg (Liaison Officer)
Propst Halfdan Hogsbro
Rev. G. Hedenquist
Dr. Stewart Herman (Lutheran World Federation)
Pastor Harald Sandbaek
Five persons to be nominated from the United Kingdom.

4. Observers

a. US Zone Mr. Olsen - Religious Affairs
Mr. Bachmann - Religious Affairs

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b. French Zone	M. Marcel Sturm Dr. Millon Mr. Raymond Maxwell
c. Germany	Two appointed by the Roman Catholic Church (including Dr. Lukaschek) Dr. Hugo Krueger-Dortmund Senator Harmssen-Bremen Dr. Guelzow-Luebeck P. Pawlewski-Bielefeld
5. Experts	Prof. Fritz Baade (Weltwirtsch. Institut, Kiel) Dr. Hilde Wander-Kiel Dr. Stella Seeberg-Harmannsburg Dr. von Schmieden-Stuttgart (Hilfswerk) Dr. von Zahn " " Dr. Scheuner " " Dr. Schroeder " " Dr. Hans Harmsen-Hamburg Dr. Wolff-Adelheide Mr. F. de Jonghe -CRE- Buende Dr. Anna Selig-Geneva

VI LANGUAGE

The Conference will be conducted in both German and English.

VII OFFICERS

The Officers of the Conference will be:

Chairman - Rev. Henry Carter, O.B.E.

Secretary - Mr. Elfan Rees, 17 Route de Malagnou, Geneva

Liaison Officer - Oberkirchenrat Heinz Kloppenburg

The programme of the Conference has not yet been fully discussed, but that will not concern us officially. It is understood that we should provide accommodation for official representatives from the Control Commission (British, U.S., and French Elements). Apart from these all accommodation will be provided by the Germans in Hamburg. This will entail a good deal of expense on the part of the World Council of Churches, and they are asking whether it is possible for some concession to be made so that they may transfer sterling accounts in the U.K. into Deutschmarks to cover expenses of the Conference in Germany. I would be glad if you could take this matter up.

Before the Conference is held, it is proposed to present to the Marshall Plan Committee in Paris one or two trial schemes, such as the apprenticeship scheme at Dortmund, to see how such proposals are received. At the Conference it will be necessary to determine the priority of existing schemes, and this will be determined, not on the basis of immediate need, but on the basis of over-all contribution to the larger problem of German refugees.

(Sgd) E.H. ROBERTSON

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25 January 1949 TWPR/P(49)3

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The attached papers:

Comments of the British Economics Adviser on the Agreed Statement of the Refugee Problem (Appendix A)

Comments of the British Manpower Adviser on the Agreed Statement of the Refugee Problem (Appendix B)

A letter from the British Member of the Tripartite Working Party to the Public Opinion Research Office of CCG (Appendix C)

are submitted by the British Member for the consideration of the Tripartite Working Party on German Refugees at its second meeting.

EDWARD W. LAWRENCE
Recorder

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25 January 1949

Appendix A to
TPR/P(49)3

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Opinion expressed by the British Economic Adviser
on our agreed statement of the Refugee Problem
which was issued after our meeting of the 3rd December, 1948

The British Economic Adviser does not consider that the numerical magnitude of the refugee problem is to be judged by the number of persons who have drifted into the Western Zones, i.e. 7,850,000, nor does he consider it correct to take this number as any measure of the surplus population in any of the three Western Zones. He believes that the greater part of the total influx has been absorbed in some degree into the economic and social structure. He recommends that the problem should be approached by forming an estimate of how many have, in fact, been absorbed and how many have not, and then dealing separately with these two groups.

With regard to those already absorbed the British Economic Adviser considers that what is required is an appreciation of how far they still present a problem due to an imperfect assimilation into the indigenous population with an examination of the factors, social, political, economic, local and distributive. He considers that then we should be in a position to form an opinion as to whether their assimilation will be completed within a reasonable time, or what measures should be taken to expedite it.

With regard to the unabsorbed elements amongst the refugees he considers that what is required is an appreciation of the factors which have prevented absorption and an examination of how far, and in what age, sex or nationality groups there exist factors which delay the absorption of these refugees or may prevent it entirely.

He further considers that the question of surplus population is a different one and he thinks it is important not to couple this too closely with the refugee problem. He does not think that the assumption that there is a large surplus population in the Western Zones can be safely made today. He expresses the opinion that the refugee problem is related to the surplus population question only in so far as it can be shown that the refugee influx has increased particular groups in the Western German population but in so far as it appears that there are classes of refugees who would emigrate, or be accepted as immigrants more readily than the indigenous population.

Finally he finds himself unable to subscribe to the assumption that the only solution is increased industrialisation, if this means an increase in the proportion of the population employed in industry as compared with the agrarian population. He considers that ultimately the problem is one of food and whether the population can provide this by growing it at home, or exporting things to buy it from abroad. He also considers that the only material ceiling on Germany's industrial activity is the 10.7 million ton ceiling on its steel production. Otherwise he states that with the exception of a few prohibited industries there are no restrictions on the expansion of German industrial production, and he considers that this production can easily absorb the total male working refugee population. He adds, however, that there may be a surplus of female ~~family~~ working refugee population which might amount to 500,000 or more in the British Zone alone.

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25 January 1949

Appendix B to
TWPR/P(49)3

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Opinion expressed by the British Manpower Adviser on our agreed statement of the Refugee Problem which was issued after our meeting of the 3rd December, 1948.

The British Manpower Adviser is of the opinion that we are inclined to exaggerate the extent of this problem, and that we are conveying the impression of a vast idle human mass lacking the bare essentials of life. This, he states, is not so. He considers refugees are an indeterminate category, difficult to define, forming one aspect of the whole problem of displaced persons, which include returning Prisoners of War and evacuated war workers. He considers that the policy for dealing with these categories has now been unified and that refugees now take their place in the overall policies for food, health, public safety, housing, transport, relief, employment, etc. He thinks it is probably true to say that the large majority of these refugees are now settled with some sort of roof over their head, a job of work to do, and as much food to eat as other Germans in Western Germany.

With regard to emigration he considers that the crux of the demographic problem is the surplus of several million women. He considers that the need in Western Germany for able bodied and skilled male German workers is such that no organized large scale recruitment of these types for foreign countries should be permitted.

With regard to housing he considers that we should ascertain the density per room which he considers to be the significant factor in a review of housing conditions. He considers that there is a world shortage of housing and that the German authorities must put their back into it as has been done in Great Britain. He feels that only hard experience will show the Germans the folly of removing controls from building materials.

He is of the opinion that our short term policy should be directed to redistribution within the Western Zones.

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25 January 1949.

Appendix C to
TWPR/P(49)3

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Dear

I expect you have seen from various minutes and correspondence that there has recently been a considerable amount of interest displayed in the German refugee problem in the Western Zones of Germany. It has been discussed at several recent meetings with RECO, and the Military Governor has given instructions that a despatch should be prepared for submission to the Secretary of State for Foreign Affairs setting out the problem in some detail and the suggested remedies. The responsibility for this lies with my Branch.

In addition, we have been under pressure from the French for some time past to embark on a study of demographic pressure in Western Germany, and recently the U. S. Element have shown signs of renewed interest in this problem. As a result I have had several meetings with my U. S. and French colleagues on this subject and it has now been agreed by the three Military Governors that a Working Party should be set up to study the problem and submit a report as soon as possible for submission to the three Military Governors. The intention is that this report should form the basis of a recommendation from the three Military Governors to the new Western German Federal Government.

We are in possession of a certain amount of statistical information on this subject, and the first Meeting of the Working Party took place on Monday, 17th January 1949. This meeting was attended at my request by Dean of the Zonal Statistical Organization. After the meeting Dean suggested to me that while his Organisation and the Bipartite Statistical Office could produce a certain amount of overall general statistics you might be in a position to give us a bird's eye view of the problem as it is seen by the ordinary German man in the street, and by the refugees themselves. Dean promised he would talk to you about it and I am writing now to confirm that we would be very grateful for any assistance you can give us.

I don't know whether you have already amongst your records the results of any surveys dealing specifically with this problem. The type of information we should like is as follows:

(a) How does the indigenous German population regard the German refugees who have come from the East?

(b) If their attitude is hostile, is the hostility latent or open?

(c) Correspondingly how does the average refugee regard the indigenous German population?

(d) Would you say that the majority of the refugee population are already in employment and in receipt of an economic wage?

J.R. White, Esq.
P.O.R.O.
Political Division
COG BIELEFELD
67 H.Q. BAOR 16

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(e) What are the general housing conditions of the refugees; in particular, are they sharing existing houses with the indigenous population, or are they, for the most part, accommodated in camps, public buildings, cellars, etc?

(f) Do the refugees, for the most part, live in family units, and would you say that the majority of these units are headed by a male bread winner?

(g) Are there any apparent indications of possible political trends amongst the refugees?

(h) Would you say that on the whole they are facing their future in a realistic manner, or do they in the main wish to return to their original places of domicile?

(j) Are there any signs of irredentist activities and, if so, what are the nature of those activities.

I am afraid I am asking you a great deal but it may be that you have information in your office now which would enable you to give me a fairly comprehensive answer. If not, it may be that you could arrange for some surveys to be carried out reasonably quickly. For your own information we feel here that the presence of some 7 3/4 million refugees in the three Western Zones of Germany does constitute a very distinct and serious problem, and that if the situation is not handled properly some very undesirable political repercussions might take place in the future. We further feel that there is no reason in difference of origin or cultural background why these refugees should not be assimilated in Western Germany. We think that the problem is an economic one; in other words that this population can be economically integrated into Western Germany, provided that economy can be expanded to absorb the present influx. The Economic and Manpower Advisers assure us that they for their part see no reason why all the male members of the working groups amongst the refugees should not be absorbed within the present level of expansion which has been agreed by the three Occupation Powers. We, however, feel that amongst the refugees there are large numbers who are without bread winners, and who must be considered as adding to the national burden of support. If by any chance you intend to visit Berlin in the near future I should be glad to have the opportunity of discussing this matter with you in more detail.

Yours,

Sgd.: D. Lo an Gray
Director
(D.P. Branch)
Political Division

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18 January 1949 TWPR/P(49)2

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

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SUBJECT: Transfer of Refugees from Land Schleswig-Holstein

1. The attention of the Bipartite Board has been drawn to the fact that unemployment continues to increase in Land Schleswig-Holstein, while there has been a general decline in unemployment in the rest of the Bizonal Area. The increase in Schleswig-Holstein is attributed to the continued flow to that land of refugees who cannot be accepted in sufficient numbers in other Laender of the Bizonal Area. The following figures are cited:

Unemployment in percentage of Labour Force

Date	Schleswig-Holstein	
End of	No.	%
June	21,250	2.0
Sept.	89,446	8.6
Oct.	93,358	9.0
Nov.	100,896	9.7

Increase or Decrease of Unemployed

Date	Schleswig-Holstein
July to	
Sept.	+ 68,196
Oct.	+ 3,912
Nov.	+ 7,538

2. It was suggested to the Bipartite Board that, of the three Western Zones, the French Zone is in the best position to give assistance in dealing with the refugee problem, and, in marked contrast to the US/UK Zones, its population is smaller than before the war. In addition it is reported that French Zone unemployment is comparatively light.

3. The Bipartite Board therefore decided at its meeting on 14 January to refer this question to you for consideration. It is requested that you inform this Secretariat of your recommendations on this matter.

WALTER E. MATHER
Major, GSC
Duty Secretary
Bipartite Secretariat

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17 January 1949 TWPR/P(49)1

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

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DRAFT

Coordinated Statements of the French, British
and United States Military Government Officers Concerned
With the Problems Relating to Refugee Population
in Western Germany

Statement 1: Despite considerable losses in manpower during the war, Western Germany is heavily overpopulated. This overpopulation is due to the presence in Western Germany of large numbers of persons who were formerly domiciled in areas outside of the present German borders or who were formerly domiciled in what is now the Soviet Occupied Zone of Germany. These newcomers, or refugees, are still entering Germany in large numbers and it is estimated that several hundred thousand ethnic Germans who are resident in Eastern European countries must be regarded as potential immigrants to Western Germany. The problem of the assimilation of these newcomers is primarily economic in nature; the cultural or political factors being relatively of lesser importance.

Statement 2: The area conprising Western Germany has suffered a decrease in agricultural and industrial production, plus considerable destruction of housing facilities. There appears, therefore, small prospect of large-scale assimilation of the refugee population.

Statement 3: The situation in Western Germany resulting from the foregoing factors threaten the following:

a. Overall reduction in living standards of the population in general, and of the refugee population in particular.

b. Increasing hostility on the part of the native population whose standard of living is threatened by the presence of the refugee minority.

c. The emergency of a permanently discontented element in the population (the refugees) which will become a political threat to the German society as a whole.

d. The hostile environment in which the refugees find themselves will accentuate their desire to return to their desire to return to their homes giving rise to irredentist or expansionist tendencies.

e. The spread of an already apparent tendency on the part of the refugees to turn to the extreme political right or left for a solution to their problems.

f. The unstable situation becoming a direct invitation to Communist influence and intervention.

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17 January 1949 TWPR/P(49)1

Statement 4: Possible solutions for the problem of overpopulation are as follows:

a. Revision of the Eastern frontiers of Germany to regain territories currently under Polish administration.

b. Removal of all obstacles in the way of emigration of large numbers of the German population. This solution is affected by the following factors:

(1) Displaced Persons currently receive priority for emigration.

(2) Many nations are reluctant to accept Germans as immigrants. This factor may be balanced by preference for German immigrants on the part of certain other nations.

(3) Emigration is at best a selective process. In each case the workers rather than the non-workers tend to emigrate, thus increasing the ratio of the non-workers to workers and increasing the burden of the population upon the economy. Also, nations desiring immigrants are reluctant to accept old people, non-workers, etc.

(4) Physical difficulties attendent to large-scale population movements, in general, and overseas movements, in particular. (shortage of shipping, etc.)

c. Expansion of planned level of industry to enable Western Germany to produce and export enough to pay for its imports of food and raw materials, employ all of its workers, and provide housing for its increasing population.

This solution vitally affects the basic financial, commercial and political policies of the Governments of the occupying powers.

RESTRICTED

14 December

RESTRICTED

14 December 1948 TWPR/P(48)4

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

Subject: General Koenig's reply to General Robertson's Letter dated 26 November.

French Commander in Chief in Germany,
Office of the General.

Baden-Baden, 14.12.48

My dear General,

I have had consultations on the subject of the German refugees mentioned in your letter of 26th November, 1948 with the three Ministers-President of the French Zone of Occupation.

As they have stated several occasions, they are favourably inclined to the idea of receiving in their respective Laender a certain quota of refugees. It is, incidentally, with this possibility in view that certain estimates were made in the long-term programme submitted to the O.E.E.C.

However, while in agreement in principle, the Ministers-President believe that this operation could not take place immediately without causing serious trouble, particularly in the beginning of winter, and it is advisable beforehand to take fundamental preliminary measures to ensure the distribution, installation and integration of these refugees into community life, all the more so as they have just received a new contingent of German refugees from Denmark.

It is necessary, moreover, to settle beforehand the question of assessment of costs. It is likely that at the time when the Laender of the French Occupation Zone are ready to receive further refugees, the Federal Government will be constituted and could settle this question in agreement with the Laender. This would be, it seems to me, the most normal solution of this problem.

It goes without saying while I believe that the distribution of refugees is essentially a matter for the future Federal Government, this does not in any way exclude the immediate setting up of an Allied working party.

As the question of refugees cannot, indeed, be completely solved by a simple distribution within Western Germany, this working party would also have the task of examining all the data on this problem and of preparing overall solutions, in particular the emigration of surplus groups.

(Sgd.)
KOENIG

General Sir Brian H. Robertson, BART, KCMG, KCVO, CB, CBE, DSO, MC.,
Commander-in-Chief and Military Governor,
Headquarters, Control Commission for Germany (British Element),
Berlin, B.A.O.R.

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4 December 1948 TWPR/P(48)3

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

- - - - -

Subject: General Clay's reply to General Robertson's 26 November letter

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
Office of the Military Governor
APO 742
Berlin, Germany.

4 December 1948

My dear Brian,

In your letter of 26 November you raised the question of establishing an Inter-Allied Working Party to consider a redistribution of refugees within Western Germany.

Your concern over the crowded conditions existing in Schleswig- Holstein and throughout the British Zone is appreciated and it is, of course, unnecessary for me to point out that a similar situation exists in Bavaria and throughout the U. S. Zone.

The Western German Government, when it is organized, must realize its obligation with respect to the assimilation of the refugee population. Further, it should be aware that in order to affect the economic, social and political integration of these people, a redistribution of refugees throughout Western Germany probably will be necessary.

As you have stated, the question of demographic pressure is a long-term problem and the redistribution of refugees within Germany is more urgent in nature. I am completely in agreement with your suggestion for establishing an inter-Allied Working Group to consider this problem. I believe, however, that in keeping with our policy of regarding the reception and assimilation of refugees as a responsibility of the German authorities, the report rendered by the Working Party should serve as a basis for a recommendation rather than as a directive to the Federal Government when it is established.

In organizing this Working Group I suggest that the details be worked out by your representative and that of General Koenig in conjunction with my Civil Administration Division who will coordinate the work with my Manpower and Economics Divisions.

Sincerely,

(Signed) LUCIUS D. CLAY
General, U.S. Army
Military Governor

General Sir Brian H. Robertson, BART, KCMG, KCVO, CB, CBE, DSO, MC.,
Commander-in-Chief and Military Governor,
Headquarters, Control Commission for Germany (British Element),
Berlin, B.A.O.R.

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26 November 1948 TWPR/P/(48)2

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

- - - - -

Subject: Letter from General Robertson to General Koenig, Reference: MG/5802/C-i
Dated: 26 November 1948.

"I have carefully considered the reply which General Noiret sent to me on the 16th October about the distribution of German refugees in Western Germany

"General Noiret's letter also raised the wider question of demographic pressure in Germany. The two subjects are clearly related, but I feel it is essential that we should deal with them separately since while one is a long term problem obviously incapable of an early solution, the other can, and in my opinion should, be dealt with promptly. The problem of demographic pressure is shortly to be discussed in Berlin by our respective staffs, and I hope that this study will produce a useful appreciation of the nature of the problem and of the best way of tackling it. I fear however, that emigration can in any event have no immediate effect. There is no country in the world prepared to accept an unrestricted flow of German immigrants. I believe that five years would be the minimum period required to effect an appreciable alleviation of demographic pressure. I consider however, that the present manifestly unequal distribution of refugees in Western Germany should not be permitted to continue for so long a period.

"General Noiret rightly remarks that the problem of redistribution will soon be within the competence of the German themselves. Nevertheless my Government wish me to make a further effort to secure agreement in the matter between Military Governors. They have a special reason for this desire. As you know, while the whole of the British Zone is over-crowded with refugees, the overcrowding is most serious in Land Schleswig-Holstein. This fact raises particular problems in connection with the Danish-minded minority in Schleswig and you are probably aware that it is a long-standing complaint of the Danish Government that their minority's influence in local affairs has been severely prejudiced by the influx of refugees who outnumber them. In the course of recent discussions in London a Danish delegation emphasized this point and my Government agreed to investigate it. As a result they have instructed me to propose to you and General Clay that an Inter-Allied Working Party should immediately be set up to consider a redistribution of refugees within Western Germany. In the opinion of my Government, the fact that the problem will soon be within the competence of the Germans would not invalidate the labours of such Working Party. It should be possible for it to produce a report before the Occupation Statute is proclaimed, and the report could then be communicated to the appropriate German authorities with a recommendation that it should be put into force.

"I very much hope that you will feel able to agree to this proposal. I understand that the long-term programme submitted on behalf of the French Zone to the O. E. E. C. envisages the admission of 300,000 refugees from

RESTRICTED

26 November 1948 TWPR/P(48)2

other parts of Western Germany. I hope that this can be interpreted as a willingness on your part to start receiving these refugees at an early date.

I am writing in similar terms to General Clay.

(Sgd.) B. H. Robertson.

General d' Armee Pierre Koenig,
Commander-in-Chief of the French Forces of Occupation,
BADEN-BADEN

Copy to: - Political Adviser."

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26 November 1948 TWPR/P(48)1

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

- - - - -

Subject: Letter From General Robertson to General Clay, Reference: MG/5002/C-in-C
Dated: 26 November 1948.

I have been instructed to raise with you once again the question of the distribution of German refugees in Western Germany.

The problem of redistribution will, of course, soon be within the competence of the Germans themselves, but in the meantime my Government wishes me to make a further effort to secure agreement in the matter between Military Governors. They have a special reason for this desire. As I have explained before, while the whole of the British Zone is overcrowded with refugees, the overcrowding is most serious in Land Schleswig-Holstein and this raises particular problems in connection with the Danish-minded minority in Schleswig. As you are probably aware, it is a long-standing complaint of the Danish Government that their minority's influence in local affairs has been severely prejudiced by the influx of refugees who outnumber them. In the course of recent discussions in London a Danish delegation emphasised this point and my government agreed to investigate it. As a result they have instructed me to propose to you and General Koenig that an inter-Allied Working Party should immediately be set up to consider a redistribution of refugees within Western Germany. My Government believes that the fact that the problem will soon be within the competence of the Germans will not invalidate the labour of such a Working Party. It should be possible for it to produce a report before the Occupation Statute is proclaimed and the report could then be communicated to the appropriate German authorities with a recommendation that it should be put into force. I very much hope that you will feel able to agree to this proposal.

I should perhaps make it clear that I believe that this problem can and should be separated from the wider question of demographic pressure. I understand that arrangements have already been made to begin a preliminary study of the latter question and that officials of the French, British and United States Military Governments are shortly to meet in Berlin. I think that such work should be useful and I hope that it may lead to agreement upon the nature and extent of the problem. But I am sure you will agree that demographic pressure is a long-term problem and that whatever solution is adopted the effects are unlikely to be appreciable for some years. I do not believe that the immediate problem of redistribution within Germany can be deferred for so long.

I am writing in similar terms to General Koenig.

(Sgd.) B. H. Robertson

General Lucius D. Clay,
Military Governor,
Office of Military Governor US

Copy to Political Adviser

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26 November 1948 TWPR/P(48)1

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

- - - - -

Subject: Letter From General Robertson to General Clay, Reference: MG/5802/C-in-Dated: 26 November 1948.

I have been instructed to raise with you once again the question of the distribution of German refugees in Western Germany.

The problem of redistribution will, of course, soon be within the competence of the Germans themselves, but in the meantime my Government wishes me to make a further effort to secure agreement in the matter between Military Governors. They have a special reason for this desire. As I have explained before, while the whole of the British Zone is overcrowded with refugees, the overcrowding is most serious in Land Schleswig-Holstein and this raises particular problems in connection with the Danish-minded minority in Schleswig. As you are probably aware, it is a long-standing complaint of the Danish Government that their minority's influence in local affairs has been severely prejudiced by the influx of refugees who outnumber them. In the course of recent discussions in London a Danish delegation emphasised this point and my government agreed to investigate it. As a result they have instructed me to propose to you and General Koenig that an inter-Allied Working Party should immediately be set up to consider a redistribution of refugees within Western Germany. My Government believes that the fact that the problem will soon be within the competence of the Germans will not invalidate the labour of such a Working Party. It should be possible for it to produce a report before the Occupation Statute is proclaimed and the report could then be communicated to the appropriate German authorities with a recommendation that it should be put into force. I very much hope that you will feel able to agree to this proposal.

I should perhaps make it clear that I believe that this problem can and should be separated from the wider question of demographic pressure. I understand that arrangements have already been made to begin a preliminary study of the latter question and that officials of the French, British and United States Military Governments are shortly to meet in Berlin. I think that such work should be useful and I hope that it may lead to agreement upon the nature and extent of the problem. But I am sure you will agree that demographic pressure is a long-term problem and that whatever solution is adopted the effects are unlikely to be appreciable for some years. I do not believe that the immediate problem of redistribution within Germany can be deferred for so long.

I am writing in similar terms to General Koenig.

(Sgd.) B. H. Robertson

General Lucius D. Clay,
Military Governor,
Office of Military Governor US

Copy to Political Adviser

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17 January 1949

TWPR/M(49)1

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

MINUTES

of the

First Meeting

held at Lancaster House, Berlin, Germany,
at 1000 hours, 17 January 1949

There were present:

Mr. LOGAN-GRAY, Chairman (British)
Mr. KLEIN (French)
Mr. KELLY (US)

Also present:

British

Mrs. WAGSTAFFE
Mr. DEANE
Mr. MORTIMER

French

Mr. VIEL

United States

Mr. BERTRAM
Mr. BENTON
Mr. LAWRENCE (recorder)

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17 January 1949 TWPR/M(49)1

1. TERMS OF REFERENCE OF THE TRIPARTITE WORKING PARTY ON REFUGEES

THE MEETING:

(1) agreed: (a) to take note of the contents of General Robertson's letters of 26 November 1948 to General Clay and Koenig (TWPR/P(48)1 & TWPR/P(48)2); and

(b) to take note of the contents of the letters from General Clay dated 4 December 1948 (TWPR/P(48)3) and General Koenig of 14 December 1949 (TWPR/P(48)4).

2. DEFINITION OF THE SCOPE OF THE ACTIVITIES OF THE WORKING PARTY, ITS CONSTITUTION AND MECHANICS OF OPERATION

THE MEETING:

(2) agreed: (a) that the chairmanship of the Working Party should be rotated monthly between the British, French and US members in that order;

(b) that a member of the US delegation (Mr. Lawrence) should be appointed permanent recorder of the Working Party;

(c) that the recorder should have responsibility for selecting the time and place for future meetings; and

(d) that the duties of the Working Party should be:

(i) to examine the refugee problem in Western Germany;
(ii) to discuss various solutions of the refugee problem; and
(iii) to prepare an agreed report to be submitted to the three Military Governors for use as a basis for recommendation to the German Federal government.

3. CONSIDERATION OF THE DRAFT COORDINATED STATEMENTS OF THE FRENCH, BRITISH AND UNITED STATES MILITARY GOVERNMENT OFFICERS CONCERNED WITH THE PROBLEMS RELATING TO REFUGEE POPULATION IN WESTERN GERMANY (TWPR/P(~~48)5~~) 49/1

The British representative pointed out that, after discussing this paper with the British Manpower and Economics Advisers, he had reached the conclusion that additional factual information to support the statements contained in the paper must be obtained. The British member agreed to circulate the written opinions submitted by the British Manpower and Economics Advisers and requested that the US and French members consult with their Manpower and Economics Advisers on this subject.

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THE MEETING:

(3) agreed that the French and US members should submit this paper to their respective Manpower and Economics Advisers and that the opinions of the Manpower and Economics Advisers of the three headquarters should be circulated among the Working Party.

4. DISCUSSION OF A PLAN OF STUDY AND FUTURE ACTION BY THE WORKING PARTY

It being apparent that no further action with regard to the paper referred to in paragraph 3 could be taken until further facts were obtained to support the statements contained in the paper,

THE MEETING:

(4) agreed to instruct the recorder to send a letter to the Bipartite Statistical Office requesting certain statistical information. Each member of the Working Party would also request similar information unilaterally from the appropriate authorities in his respective zone. The statistics to be obtained include the following:

(a) The numbers and the sex and age structure of the refugee population by Regierungsbezirk or by Laender if this is not available.

(b) The density of the refugee population in both rural and urban areas.

(c) The housing conditions of the refugees as contrasted with those of the native population. Here it is desired to know the numbers of refugees living in camps or substandard housing installations; the number billeted on German families; and the number who are living in separate household units.

(d) The number of refugees who are supported by public assistance as contrasted with the native population.

(e) The family status of refugees. In this connection information is desired as to what proportion of the refugee population consists of complete family units, single persons, or family units comprising women and children without male support.

(f) The number of refugees employed, by occupation; the number of unemployed.

(g) The extent to which refugees are suitably employed, that is, the extent to which they are employed in their own trade or profession.

(h) The total number of inhabitants of each Regierungsbezirk in 1939 and the total number of inhabitants, exclusive of displaced persons in camps and occupation personnel, as of this date.

5. ANY OTHER BUSINESS

The French member of the Working Party discussed the contents of the letter

from General Koenig to General Robertson (TWPR/P(48)4) and pointed out the following:

General Koenig has discussed the redistribution of refugees with the Ministers-Presidents of the Laender of the French Zone who are reported as being favorably disposed to the acceptance of a certain number of refugees from the US and British Zones. General Koenig was also in agreement with this plan.

Both the Ministers-Presidents and General Koenig felt, however, that such a transfer should not take place during the cold weather and should await the formation of the Federal government. Further, General Koenig believes that this redistribution is not the final answer to the refugee problem. He is of the opinion that the eventual solution lies largely in the emigration of numbers of refugees from Germany to other countries in Europe and even overseas.

THE MEETING:

(5) agreed that the French member would endeavor to obtain some definite information regarding the conditions for acceptance of refugees into the French Zone.

6. DATE OF THE NEXT MEETING

The date of the next meeting was tentatively scheduled for 1000 hours, 10 February 1949, at Lancaster House, Berlin, Germany. The meeting adjourned at 1700 hours.

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25 January 1949 TWPR/M(49)2

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

MINUTES

of the

Second Meeting

held in Resources Building, OMGUS,
Berlin, Germany, at 1445 hours,
24 January 1949

There were present:

Mr. LOGAN-GRAY, Chairman (British)
Mr. KLEIN (French)
Mr. KELLY (US)

Also present:

British

French

Mr. VIEL

United States

Mr. BENTON
Mr. LAWRENCE (Recorder)
Mr. MADERICH

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25 January 1949 TWPR/M(49)2

7. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE FIRST MEETING OF THE TRIPARTITE WORKING PARTY ON GERMAN REFUGEES (TWPR/M(49)1

THE MEETING:

(1) agreed: to approve and sign the minutes of the first meeting (TWPR/M(49)1) as submitted.

8. CONSIDERATION OF THE COMMENTS OF THE FRENCH, BRITISH AND U. S. MANPOWER AND ECONOMICS ADVISERS IN CONNECTION WITH THE "DRAFT COORDINATED STATEMENTS OF THE FRENCH, BRITISH AND U. S. MILITARY GOVERNMENTS OFFICERS CONCERNED WITH THE PROBLEMS RELATING TO REFUGEE POPULATION IN WESTERN GERMANY" (TWPR/P(49)1

The Chairman submitted the comments of the British Economics and Manpower Advisers (Appendices A and B to TWPR/P(49)3). As the comments of the U.S. and French Economics and Manpower Advisers had not been received to date

THE MEETING:

(2) agreed: to take note of the comments of the British advisers and to defer further discussion on this matter until the comments of the U.S. and French Economics and Manpower Advisers were available.

9. DISCUSSION OF A PLAN OF STUDY AND FUTURE ACTION BY THE WORKING PARTY

The Chairman submitted a copy of a letter (Appendix C to TWPR/P(49)3) which he had sent to the Public Opinion Research Office of CCG requesting a survey of German opinion on the refugee problem. After discussion

THE MEETING:

(3) agreed: that a similar survey in the French and U.S. Zones would be of advantage to the Working Party and that the U.S. and French members would request their respective Public Opinion Services to undertake such a survey. Further, owing to the similarity of the refugee problem existing in the British and U.S. Zones the British and U.S. Public Opinion Services should be requested to coordinate their activities as closely as possible.

The Chairman presented a paper (TWPR/P(40)4) concerning the World Council of Churches' conference to be held in Hamburg on 22, 23, and

24 February on the German refugee problem. The British recommended that the Tripartite Working Party be represented at this conference.

THE MEETING:

(4) agreed: (a) to take note of TWPR/P(49)4;

(b) that the British member and the recorder should attend the World Council of Churches' conference in Hamburg as observers for the Working Party.

After discussing the World Council of Churches organization and the interests in the refugee problem displayed by the Evangelisches Hilfswerk of that organization the U.S. member agreed to request the Religious Affairs Branch of OMGUS to approach Dr. Gerstenmeier of the Hilfswerk in Stuttgart with a view to obtaining

(1) his comments and statistical data concerning the refugee problem in the bizonal area (the questionnaire forwarded to the Bipartite Statistical Office to serve as a guide (Para 4 TWPR/M(49)1))

(2) a copy of the brief which will be prepared for the use of the director of the World Council of Churches' conference if this is feasible.

The French member pointed out that the Caritas-Verband Headquarters is located in Freiburg in the French Zone and agreed to request this agency to comment on the refugee situation in Western Germany and to furnish the Working Party with such statistical data as may be available. (The questionnaire to the Bipartite Statistical Office to serve as a guide (Para 4 TWPR/M(49)1))

10. REPORT OF THE FRENCH MEMBER WITH REGARD TO THE CONDITIONS FOR ACCEPTANCE OF REFUGEES INTO THE FRENCH ZONE

The French member stated that he was unable to submit his report on the conditions for acceptance of refugees in the French Zone at this time and added that he hopes to have the information for the next meeting

of the Working Party.

The U.S. member introduced an extract of the statement on the long-term program for the French Zone of Germany as prepared by the Office of the European Economic Cooperation (TWPR/P(49)5). The extract concerns itself with the demographical estimates for the French Zone.

THE MEETING:

(5) agreed: (a) to defer discussion of this question until the French member was prepared to submit his report on the conditions for acceptance of refugees in the French Zone;

(b) to request the French member to include in his report comments on the OEEC demographical estimates.

11. TRANSFER OF REFUGEES FROM LAND SCHLESWIG-HOLSTEIN (TWPR/P(49)2

THE MEETING:

(6) agreed: (a) to take note of the letter from the Duty Secretary of the Bipartite Board;

(b) to instruct the recorder to prepare a draft reply to the Duty Secretary of the Bipartite Board acknowledging receipt of his letter and informing him that the matter would be considered by the Working Party as part of the general problem of redistribution of German refugees;

(c) to instruct the recorder to submit this draft reply at the next meeting of the Tripartite Working Party.

12. ANY OTHER BUSINESS

THE MEETING:

(7) agreed: that the agenda for the next meeting should consist of a review of the subjects discussed in the first two meetings.

13. DATE AND TIME OF NEXT MEETING

The date of the next meeting was scheduled for 1000 hours, 10 February 1949, at Lancaster House, Berlin, Germany.

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16 February 1949 T.PR/M(49)3

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

MINUTES

of the

THIRD MEETING

Held at Lancaster House, Berlin, Germany
at 1030 hours, 10 February 1949

Members:

Dr. MEILLON, Chairman (French)
Mr. LOGAN-GRAY (British)
Mr. KELLY (U.S.)

Also present:

French

Mr. KLEIN
Mr. VIEL
Mr. DE TESTA

British

Mr. DEANE
Mr. LUXTON
Miss LACEY

United States

Mr. BENTON
Mr. SHAFER
Mr. LA RENCE (Recorder)
Miss FARRELL

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16 February 1949 TWPR/M(49)3

14. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE SECOND MEETING OF THE TRIPARTITE WORKING PARTY ON GERMAN REFUGEES (TWPR/M(49)2

THE MEETING

(1) agreed: to approve and sign the minutes of the second meeting (TWPR/M(49)2) as submitted.

15. CONSIDERATION OF THE COMMENTS OF THE FRENCH, BRITISH AND U. S. MANPOWER AND ECONOMICS ADVISERS IN CONNECTION WITH THE "DRAFT COORDINATED STATEMENTS OF THE FRENCH, BRITISH AND U. S. MILITARY GOVERNMENTS OFFICERS CONCERNED WITH THE PROBLEMS RELATING TO REFUGEE POPULATION IN WESTERN GERMANY" (T PR/P(49)1

The U.S. member submitted the comments of the U.S. Economics and Manpower Advisers (T PR/P(49)6). As the comments of the French Economics and Manpower Advisers were not yet available

THE MEETING

(2) agreed: (a) to take note of TWPR/P(49)6);

(b) to defer discussion of this matter until the following meeting.

16. DISCUSSION OF A PLAN OF STUDY AND FUTURE ACTION BY THE WORKING PARTY

The British member stated that some of the statistics requested from the Bipartite Statistical Office were now available although the recorder was not yet in receipt of the official reply from that agency. The French member stated that the statistics from the French Zone were not yet available and pointed out that it would be necessary for the Working Party to reach agreement on the methods of compiling statistics and upon the definition used in each zone before the figures from the three zones could be utilized. After discussion

THE MEETING

(3) agreed: (a) to establish a sub-committee to consider the statistical data submitted by the Bipartite Statistical Office together with that which would be forthcoming from the French authorities;

(b) that the statistical sub-committee would meet on 17 February 1949 in Wiesbaden at the offices of the Bipartite Statistical Office;

(c) that the sub-committee after studying the available statistics would prepare a report for submission to the Working Party at its next meeting answering the questions outlined in para 4 of TWPR/M(49)1.

The British member submitted the following three papers for the

RESTRICTED

consideration of the members of the Working Party:

a. Extract from the League of Red Cross Societies Information Service to National Red Cross Societies No 213 of 15th Jan 49 (TWPR/P(49)8, Appendix "A")

b. Report of the British Public Opinion Research Office on the Subject of Refugees (TWPR/P(49)8, Appendix "B")

c. Public Welfare Assistance and Refugees in the British Zone (TWPR/P(49)8, Appendix "C")

THE MEETING

(4) agreed: to take note of the papers submitted by the British member.

The British member commented on the recent discussions between the British and U.S. Military Governors with the German Ministerpresidents at which time the refugee problem was discussed. After discussion,

THE MEETING

(5) agreed: that each element could discuss the work of the Tripartite Working Party with the German authorities in their respective zones if they so desire.

17. REPORT OF THE FRENCH MEMBER WITH REGARD TO THE CONDITIONS FOR ACCEPTANCE OF REFUGEES INTO THE FRENCH ZONE

The French member stated that he was not prepared to make a statement on the conditions for acceptance of refugees into the French Zone. He added that he preferred to postpone this until the sub-committee has studied the statistics and until the other aspects of the problem have been considered.

18. TRANSFER OF REFUGEES FROM LAND SCHLESWIG-HOLSTEIN (TWPR/P(49)2

THE MEETING

(6) agreed: to approve the draft reply to the duty secretary of the Bipartite Board (TWPR/P(49)7)

19. OTHER BUSINESS

After discussing the question of emigration of large numbers of refugees from Germany

THE MEETING

(7) agreed: (a) that the statistical sub-committee should obtain German emigration figures for the ten years preceding the war. These figures should be broken down by country of destination and by occupation zone if possible;

(b) to instruct the secretary to obtain, from the Combined Travel Board, statistics as to the number of Germans who emigrated from each of the three Western Zones of Germany in 1948 by country of destination.

20. DATE AND TIME OF NEXT MEETING

The date of the next meeting was scheduled for 1000 hours, 4 March 1949 at the Office of Military Government for Germany (U.S.), Berlin, Germany.

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9 March 1949 TWPR/M(49)4

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

MINUTES

of the

FOURTH MEETING

held at OMGUS, Berlin, Germany
at 1000 hours, 8 March 1949

Members:

Mr. Kelly, Chairman (U.S.)
Mr. Logan-Gray (British)
Dr. Meillon (French)

Others Present:

U.S.

Mr. Benton
Mr. Bertram
Mr. Lawrence
Miss Farrell

British

Mr. Deane
Mrs. Wagstaffe

French

Mr. Klein
Mr. Viel
Mr. Girod de L'Ain

9 March 1949 TWPR/M(49)4

21. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE THIRD MEETING OF THE TRIPARTITE WORKING PARTY ON GERMAN REFUGEES (TWPR/M(49)3)

The French member called attention to decision (7) (a) under paragraph 19 and observed that the 10 years prior to the war were not truly representative of the emigration potential for Germany as during much of this period Germany was ruled by the Nazi Government which discouraged emigration.

THE MEETING

(1) agreed: (a) to delete the word "10" in the first sentence of the decision (7) (a) under paragraph 19 so that the sentence reads as follows:

"The meeting agreed that the statistical sub-committee should obtain German emigration figures for the years preceding the war. These figures should be broken down by country of destination and by occupation zone if possible."

(b) to add the name of Mrs. Magstaffe to the list of those persons comprising the British delegation in the previous meeting;

(c) to confirm and sign the minutes as amended.

22. REPORT OF THE STATISTICAL SUBCOMMITTEE

The meeting considered the summary report prepared by the statistical subcommittee. The representative of the statistical subcommittee stated that a more detailed report would be available at an early date.

THE MEETING

(2) agreed: (a) to request the subcommittee to include statistics broken down by Regierungsbezirk in the final report;

(b) to request the subcommittee to submit at an early date the best possible estimate as to the evacuees in the three zones;

(c) to accept and take note of the report.

23. REPORT OF THE FRENCH MEMBER WITH REGARD TO THE CONDITIONS FOR ACCEPTANCE OF REFUGEES IN THE FRENCH ZONE

The French member reported that the German authorities in his zone have been instructed to issue residence permits to Germans from the bizonal areas in the following categories:

a. Relatives of bona-fide French Zone residents. This is not limited to immediate family members.

b. All persons obtaining employment in the French Zone together with their families.

The French member added that the German authorities would be supervised in this action by the French occupation authorities to insure that the orders are carried out.

24. CONSIDERATION OF THE COMMENTS OF THE FRENCH, BRITISH AND U.S. MANPOWER AND ECONOMICS ADVISERS IN CONNECTION WITH THE "DRAFT COORDINATED STATEMENTS OF THE FRENCH, BRITISH AND U.S. MILITARY GOVERNMENTS OFFICERS CONCERNED WITH THE PROBLEMS RELATING TO REFUGEE POPULATION IN WESTERN GERMANY" (TMPR/P(49)1)

The French member distributed TMPR/P(49)10, the comments of the French Economics and Manpower Advisers.

THE MEETING

(3) agreed: to receive the papers from the French Economics and Manpower Advisers and to consider the contents thereof in connection with the preparation of the report for the Military Governors.

25. DISCUSSION OF THE POSSIBILITIES FOR EMIGRATION OF REFUGEES FROM GERMANY

The report from the Combined Travel Board (TMPR/P(49)11), concerning the number of Germans who emigrated from Western Germany in 1948 by country of destination, was discussed. It was noted that the report contained no figures for the French Zone and did not contain a breakdown by country of destination for the figures from the British Zone. The French member stated that he would endeavour to obtain the desired statistics concerning his zone. After discussion of this entire question

THE MEETING

(4) agreed: (a) to take note of the statement by the French member;

(b) to include in the report to be submitted to the Military Governors a recommendation that emigration of refugees from Germany should be encouraged;

(c) to request the representative from the office of the U.S. Political Adviser to endeavour to obtain through the U.S. Government the conditions for acceptance of German immigrants into the Latin American countries.

26. DISCUSSION OF THE REPORT TO BE SUBMITTED BY THE WORKING PARTY TO THE THREE MILITARY GOVERNORS

THE MEETING

66

(5) agreed: to form a drafting committee to meet on 18 March at 1000 hrs at OMGUS to prepare an initial draft of the report. This draft would be considered at a meeting of the Tripartite Working Party to be held on 25 March.

27. OTHER BUSINESS

The British delegation presented a paper on "The Work of Voluntary Societies for Refugees in Germany" (TWPR/P(49)12).

THE MEETING

(6) agreed: to take note of this paper and to consider it in connection with the preparation of the report for the three Military Governors.

28. NEXT MEETING

The next regular meeting of the Working Party is scheduled for 1000 hours on 28 March 1949 at OMGUS.

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25 March 1949 TWPR/M(49)5

TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

MINUTES

of the

FIFTH MEETING

held at OMGUS, BERLIN, Germany
at 1000 hours, 25 March 1949

Members

Mr. Lawrence, Chairman (U.S.)
Miss Lacey (British)
Dr. Meillon (French)

Others present:

U.S.

Mr. Weisz

British

Mrs. Wagstaffe

French

Mr. Klein
Mr. Viel

25 March 1949 TWPR/M(49)5

29. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE FOURTH MEETING OF THE TRIPARTITE WORKING PARTY ON GERMAN REFUGEES (TWPR/M(49)4)

THE MEETING

(1) agreed: to confirm and sign the minutes of the fourth meeting of the Tripartite Working Party on German Refugees (TWPR/M(49)4).

30. CONSIDERATION OF THE DRAFT REPORT FOR THE MILITARY GOVERNORS (TWPR/P(49)13)

After considerable discussions and modifications of the wording of the report

THE MEETING

(2) agreed: to forward the report as revised to the Tripartite Board.

31. OTHER BUSINESS

THE MEETING

(3) agreed: to defer further meetings of the Working Party until after the Tripartite Board had considered the report.

21 June 1949

TPCR/P(49)2

77

TRIPARTITE COMMITTEE ON GERMAN REFUGEES

Admission of Refugees

1. The Problem

For some time past, the continued influx of refugees from Eastern Europe and the Soviet Zone into the British Zone of Germany has been causing some concern to the British Occupation Authorities and to the German Authorities in the British Zone. The possibility of harmonising Military Government legislation on frontier control of persons, which includes the question of the admission of refugees, is among the subjects for study by the Sub-Committee on the Harmonisation of Legislation, but so far it has not been formally considered. This question has again come into the limelight as the result of the issue of the final version of the Occupation Statute. Under paragraph 2 (d) of the Occupation Statute, the Occupation Authorities specifically reserve the power to deal with Displaced Persons and the "admission of refugees", and the need arises for a clarification of Section 2 (d) and a clear definition of the character of the control which the Occupation Authorities intend to exercise over refugees.

2. Discussion

(a) It is the opinion of the British Element that the primary intention behind this reservation of powers to deal with the "admission of refugees" is to enable the Occupation Authorities to control any future mass movement of refugees from other countries into any of the three Western Zones and to carry out the necessary negotiations with the Governments of the countries of present residence of such refugees. At the same time, it must be assumed that Section 2 (d) of the Occupation Statute confers on the Occupation Authorities the right to control the day-to-day admission of individual refugees, and if necessary, to enact legislation to control such admissions.

(b) At present there is no Military Government legislation in the British Zone which makes it illegal and punishable for refugees to enter the British Zone by crossing the interzonal boundary between the Soviet and British Zones. There does, however, exist Military Government legislation giving powers to the British Occupation Authorities to expel all "undesirable" refugees from the British Zone. It has been, and still is, the traditional policy of His Majesty's Government and the British Occupation Authorities not to deny sanctuary to genuine political refugees, and up to the present, we have pursued this policy of the "open door". There are now however some 8,100,000 refugees in the three Western Zones of Germany, of which some 4,300,000 are in the British Zone, and it is apparent that we cannot continue to countenance the wholesale indiscriminate entry of refugees into the Western Zones with equanimity, and it is therefore essential that the frontier control arrangements should be made as effective as possible and that some measure of control over the entry of refugees should be instituted.

(c) It has been agreed by the Occupation Authorities in the three Western Zones that the Frontier Control Service will become the responsibility of the new Federal Government and will come under its direct control and administration. The point now arises whether it is necessary or desirable at this stage to issue tripartitely-agreed Military Government legislation on the "admission of refugees", and it has been suggested that the best method of dealing with this matter is to reach agreement on an allied policy and to convey this policy to the new Federal Government with a request that the German Authorities should enact the necessary legislation to implement this policy.

/(d).....

(d) At the request of the British Occupation Authorities, the Ministers President in the British Zone submitted in January 1949 a Coordinated Plan which contained concrete proposals for dealing with the admission and treatment of refugees. These proposals were considered to be sound and generally satisfactory, but involved the enactment of certain legislation by Military Government, or vice versa, the extension of the legislative competence of the German Laender Authorities in the British Zone. It was found impossible to take a decision on this matter pending the promulgation of the final form of the Occupation Statute. The Occupation Statute has now been promulgated, and under Section 2(d), reserves powers over the "admission of refugees" to the Occupation Authorities, but it would be clearly undesirable to issue unilaterally in the British Zone any legislation which might conflict with the views held by the American and French Occupation Authorities.

Attached to this paper is a copy of the Outline Plan agreed by the four Ministers President in the British Zone. This Plan refers not only to the actual admission of refugees but to their treatment after arrival, but it is in the former aspect of this question that the Tripartite Committee on Refugees is more particularly interested.

The "Brunswick Agreement", copy of which is attached, was the unofficial agreement entered into by the Ministers for Refugees of the four Laender in the British Zone on 6th February 1948. It is in no way binding on the British Occupation Authorities, but provides a useful formula for the German Authorities in their dealings with day-to-day admissions of refugees.

(e) It is the opinion of the British Element that it is practically physically impossible to seal effectively the interzonal boundary between the Soviet and British Zones. All that can be accomplished in this way is to institute some effective measures of control which will check or retard the flow of undesirable refugees into the British Zone. The question therefore arises as to the precise nature of the intentions of the Occupation Authorities with regard to the admission of refugees. Refugees now entering the British Zone of Germany come under one or other of the following categories:-

(i) Refugees of non-German nationality. Such refugees come from the countries of Eastern Europe, e.g. Baltic States, Czechoslovakia, Poland, Hungary and, in some cases, Jugoslavia. It is considered that at least 95 per cent of this category are fleeing from persecution and can be considered as genuine political refugees.

(ii) Refugees of German nationality who come from Poland, New Poland, East Prussia, etc, i.e. from east of the Oder-Neisse line. Reliable information is available with regard to the conditions of life in these countries and to the degree of persecution which Germans now in these territories undergo at the hands of the present Governments of such countries.

(iii) Refugees of German nationality coming from the present Soviet Zone of Germany. For the most part, these are people who are dissatisfied with the living and economic conditions in that Zone.

(f) It is the opinion of the British Element that it would be a departure from the traditional policy of His Majesty's Government to deny the right of entry to the refugees in categories (i) and (ii) above. With regard to the third category, it is thought that many of these refugees are not sufficiently well informed as to the conditions of life in the Western Zones and do not realise that they are merely adding to the burden of hardship being experienced by the large number of refugees already in Western Germany.

It is further considered that any German national in the Soviet Zone of Germany who is not definitely in fear of his life or personal liberty and who has a roof over his head and sufficient food to eat, should remain where he is for the present. Any legislation therefore on the subject of the admission of refugees and the prevention of indiscriminate entry would, in the opinion of the British Element, be directed against this third category.

/Having regard

Having regard to the abnormal conditions of life in Eastern Europe at present, it would be very difficult to lay down precise qualifying conditions for refugees who wished to enter the Western Zones, and it is felt that the enactment of legislation on this matter should form one of the first tasks under the new Federal Government. If agreement therefore can be reached between the Occupation Authorities as to the policy which should govern the admission of refugees, it is not considered that the German Authorities will find any difficulty in enacting the necessary legislation which will ensure effective frontier control within the limits of this agreed policy.

3. Recommendations

(a) That the Tripartite Committee on Refugees should consider this paper, with its various attachments, as a basis for discussion.

(b) That the Tripartite Committee on Refugees should endeavour to reach agreement in principle on the policy to be adopted by the Occupation Authorities towards the admission of refugees.

(c) That having reached agreement, the Tripartite Committee on Refugees should convey their recommendations to the proper Authorities in order that the necessary steps for the implementation of this policy can be taken without delay.

COPY/AEL

From: Major-General W.H.A.Bishop, CB. OBE.

Regional Commissioner's Office,
HQ Land North Rhine/Westphalia,
714 HQ. CCG (BE),
DUSSELDORF, BAOR. 4.

NRW/RC/3001

22nd December, 1948.

My dear Minister-President,

Would you be so good as to refer to the letter from the Minister of Social Affairs, the Minister of the Interior, the Minister of Labour and the Minister of Reconstruction of the 6th December No. IC/24 A 07 I-Dr.G/BH on the subject of the disposal of illegal refugees arriving in Land North Rhine/Westphalia.

As I understand the position, the problem of refugees other than those which fall within the "Brunswick" agreement, falls into two fairly distinct categories.

(a) persons who are of reasonable type and whom the Land Administration does not wish to repudiate even though they are completely outside the scope of the Brunswick agreement, and

(b) persons of German and other European nationalities who move "illegally" into the Region and who are definitely anti-social elements, having no intention of playing a useful part in the community.

In regard to category (a), I suggest that it would be most desirable for the Laender in the British Zone to cooperate in setting up a common machinery for dealing with these people. I have made enquiries from Headquarters BAOR, and am given to understand that it will probably be possible for BAOR to make available, about March of next year, a large camp or camps in Land Niedersachsen which would accomodate approximately 30,000 people. I suggest that the Government of this Land might take the initiative with the other Laender Governments in the British Zone with a view to making the necessary plans to ensure that, as soon as the camp is released, it can be utilised as a "holding" camp until such time as the people concerned can be absorbed in the German social and economic structure. It might well be possible, and it would certainly be desirable, to make provision for the training or re-training in the camp of individuals in the trades for which there are labour vacancies available. It is clear that these arrangements, and the necessary financial arrangements, can only be satisfactorily carried out by working out a plan which is agreed and coordinated between the Laender of the British Zone.

I now turn to the most difficult problem of the "anti-social" refugees referred to in paragraph (b) above. I note from your Ministers' letter that they take the view that these people should be returned to the Soviet Zone of Germany. Provided that the most careful screening of these people is undertaken before they are finally judged "criminal" or "anti-social", I think that this is probably the best course of action to take. I understand that a Military Government Ordinance conferring on us the necessary legal powers will probably be promulgated in the fairly near future.

I have discussed the above proposals recently with the British Military Governor who expressed his sympathy with them in general terms. General Sir Brian Robertson wishes, however, to take the opportunity at his next meeting with the Ministers President of the British Zone to discuss this problem which is, of course, a German one, and to hear the plans of the Ministers President for its solution. I therefore suggest, my dear Minister President, that when you next meet the British Military Governor you should furnish him with a memorandum setting out your views on the handling of this problem and specifying the assistance you would like to receive from Military Government towards its solution. I feel sure you will agree that it is of great importance, if progress is to be made, for the plan to be set out in very clear and exact terms.

I note that in your Ministers' letter of the 6th December, they raise the question of the issue of the Wehrmacht Release Certificate D2 by the British Military

/Authorities

Authorities, and make the suggestion that a German "Precaution Office" should be set up alongside this Wehrmacht Release Authority, with a view to checking the persons applying for the Wehrmacht Release Certificate. The need for such an arrangement had already received my consideration, and I have already taken the matter up with Headquarters BAOR. I hope to be in a position to send you a favourable reply to this question in the fairly near future.

I am sending a copy of this letter to the Minister of Social Affairs, the Minister of the Interior, the Minister of Labour and the Minister of Reconstruction.

I take this opportunity of assuring you of my highest regard.

Yours very sincerely,

(sgd) W. H. A. BISHOP

Herr Karl Arnold,
Minister President,
Land North Rhine/Westphalia, Dusseldorf.

Copies to: The Minister of Social Affairs, Land North Rhine/Westphalia.
The Minister of the Interior, Land North Rhine/Westphalia.
The Minister of Labour, Land North Rhine/Westphalia.
The Minister of Reconstruction, Land North Rhine/Westphalia.
Regional Governmental Officer
Regional Economic Officer
Regional Administrative Officer
Regional Intelligence Officer
Chief Manpower Officer
Senior ISD Officer
RB Commander, Dusseldorf.
" Cologne
" Detmold
" Münster
" Arnsberg
" Aachen

COPY/AEL 75

THE MINISTER OF SOCIAL AFFAIRS,
LAND NORTH RHINE/WESTPHALIA,
Abt. IC 24 A 07 I 20.10. Ib - Dr. G/Bö

Dusseldorf, 29 Jan 1949

THE MINISTER OF THE INTERIOR
LAND NORTH RHINE/WESTPHALIA

THE MINISTER FOR RECONSTRUCTION
LAND NORTH RHINE/WESTPHALIA

SUBJECT: Admission of illegal refugees

Owing to the constantly increasing influx of illegal refugees from the Russian Zone of Occupation a situation has arisen which, in the long run, is unbearable for all the Laender of the British Zone. Although no definite figures are available as to how many persons are crossing the border every month with the intention of finding admission in the Laender of the British Zone, it can be said in the light of past experience that this number amounts to at least 20,000 persons per month of whom about 8,000 were admitted in North Rhine/Westphalia alone.

Only part of these illegal refugees are justified in claiming the right of asylum or shelter. But in a large number of cases they are persons who, for general reasons, think that they cannot live any longer in the Russian Zone of Occupation (e.g. for reasons of nutrition, housing accommodation, type of work etc.) and who suppose that in the British Zone they will find better living conditions.

Further, there is a number of illegal refugees who are anti-social, unwilling to work or even criminal, and who believe that they can hide somehow in the British Zone.

As regards the background of the illegal refugees, it should be specially pointed out that many of them have come from the Districts lying east of the Oder/Neisse line who were first accommodated in the Russian Zone of Occupation but have not settled down there for various reasons.

The British Military Government issued instructions early in 1948 to the effect that persons who cross the zonal border of Lower Saxony should be admitted in Lower Saxony, whilst illegal refugees crossing the zonal border of Schleswig-Holstein should be moved on to Land North Rhine/Westphalia.

Owing to serious overcrowding, the admission and housing of all illegal refugees meets, in all the Laender of the British Zone, with nearly insurmountable difficulties; therefore, the refugee authorities of the Laender in the British Zone have come to an agreement as to which categories of persons can rightly claim to be admitted and housed, and should therefore be received. These rules have been laid down in the so-called "Brunswick Agreement" (see annex).

The Brunswick Agreement it is true, has made provisions as to which of the illegal refugees should be admitted and housed in the Laender. But a settlement of the question how the large proportion of refugees who have to be declined admittance under these rules should be treated is still outstanding owing to the lack of the requisite legal basis. In the majority of cases the persons who are refused admittance refuse to return to the Russian Zone. A compulsory return by the German Authorities has, however, been impossible so far for want of the a/m legal powers. As a result, a large proportion of these persons in the Laender, are thereby increasingly endangering public safety. Many of these persons who, fundamentally, are still socially intact, are running the risk of becoming anti-social or criminal in this way. Finally, it should not be overlooked that in this way political agents might enter the British Zone and try to exploit the existing difficulties by becoming politically active in accordance with their purpose.

If the problem of the illegal refugees is not to become a constantly increasing thrust to public safety and ultimately also to all measures for housing and absorbing the refugees existing already in the Laender, and this, consequently, to the native population as well, uniform zonal measures concerning the treatment of illegal refugees will become necessary. But for this purpose the assistance of Military Government will be absolutely required because the German Authorities alone do not dispose of sufficient legal powers.

/In order

In order to bring about a uniform solution concerning the treatment of illegal refugees within the British Zone, the following measures are therefore proposed:-

I. By strengthening the police along the zonal border, the frontier control should become stricter than hitherto for the purpose of getting hold of as many illegal refugees as possible at the very moment of their crossing the border.

II. Persons intercepted by the police when crossing the border should be taken by quickest route to a screening centre to be situated near the zonal border.

III. Authorities or charitable institutions where illegal refugees report and ask for admittance should see to it that these persons are registered without delay at the screening centre.

IV. The Screening Centre will have the following functions:-

1. All illegal refugees who are being directed or reporting to the Centre shall be carefully screened. Screening must include the ascertainment of the relevant personal data and the genuineness of the identity papers, taking into account any other police and sanitary requirements and considerations. It must also be ascertained in how far the Brunswick Agreement rules apply to these illegal refugees.

2. In cases where the terms of the Brunswick Agreement apply to these illegal refugees and where screening in accordance with the principles mentioned in sub-para 1. above has shown that there is no objection to their admission, these persons should be directed without delay to the receiving Laender.

3. Experience has shown that among the illegal refugees there is a large number of juveniles who either quitted the Russian Zone because of their being threatened by compulsory employment in the uranium mining industry, or for similar reasons and, last but not least, because of having become unadjusted owing to developments during the recent years and particularly during the war. In this connection, the meaning of the term of juveniles should be extended beyond present legislation, i.e. beyond the age of 21 years, because such persons are in need of particular care in educational and vocational respect on account of the special war and post-war conditions. Therefore, these juveniles must, with the assistance of the Landesjugendamter be taken over, screened and placed by the Screening Centre.

(a) If, after being screened, these juveniles come under the Brunswick Agreement, they shall be transferred to the receiving Laender and taken to their relatives there or be given employment or directed to special receiving Areise.

(b) If the Brunswick Agreement does not apply to these juveniles, the following procedure shall be adopted:-

aa) Provided these juveniles are prepared of their own accord to undergo labour and vocational training, they shall be transferred to appropriate juvenile welfare institutions which, if necessary, shall have to be created in conjunction with the Screening Centre.

bb) If the juveniles are not prepared of their own accord to acquiesce in such measures and if, in the judgement of specially appointed welfare workers, these juveniles appear fit for further education, they shall, if necessary, be transferred compulsorily to such appropriate institutions as mentioned under aa).

cc) In the case of juveniles being, in the judgment of the youth welfare workers, already highly criminal, it must be considered, in cooperation with the Youth Office of their place of origin, whether they shall be retransferred to the Russian Zone.

/4.

4. Adult illegal refugees, to whom the Brunswick Agreement is not applicable, shall be dealt with as follows:-

(a) Provided these persons appear to be socially intact and provided also that they refuse to return to the Russian Zone, but are prepared to undergo a screening, they shall have to be admitted to special establishments which, where necessary, would be set up in conjunction with the Screening Centre, and be given adequate employment if they are fit for work. If observation and screening show that these persons are eligible for permanent admission, they shall, according to labour and accommodation facilities, be apportioned to the Laender to be absorbed by the population. In view of present housing conditions, these persons must, if necessary, be housed in collective shelters. For the present, they will not be entitled to claim accommodation.

(b) Persons refusing to be screened as under (a) above or being unable to produce sufficient documentation as to their identity or, contrary to the first impression proving inappropriate when screened, shall be reconveyed in transports to the Russian Zone.

(c) Anti-social and criminal persons shall be compulsorily reconveyed in transports to the Russian Zone.

(d) The measures mentioned under (a) - (c) will have to apply accordingly to aliens who have lost their DP status and who are not - or to a limited extent only - eligible for IRO care.

A screening committee is to decide on any retransfer pursuant to paras (b) - (d) above. In setting up this committee, such agencies as share in the care of refugees shall be taken into consideration.

V. For the implementation of the measures mentioned under I - IV, Military Government assistance will be required as follows:-

1. What will be necessary for the setting up of the suggested Screening Centre and of the other establishments connected therewith is the provision of suitable premises. The premises of the ex-Wehrmacht Discharge Centre Munsterlager, for the release of which the Laender have already applied, should, for instance, be suitable.

2. In order to ensure the registration and screening of all illegal refugees, an ordinance should be issued with Military Government authorisation by all the Laender concerned, provided that any such persons shall have to report at the Screening Centre and that admission and accommodation of such persons both in the Communes of the British Zone and in establishments of free welfare shall only be permitted on condition that registration documents from this Screening Centre are produced. The Laender should perhaps be authorised to transfer compulsorily to the Screening Centre any persons violating such ordinances.

3. For the implementation of the measures suggested under IV. 3. (a) (b) bb) above, an ordinance or authorisation is required for the German authorities making it possible for young people over 21 years of age to be compulsorily subjected to an orderly labour and vocational training on the suggested lines in the same way as minors are. The validity of this authorisation should, for the present, be limited to one year.

4. In order to prevent that the issue of the prescribed identity cards for the British Zone will entitle the holders to take up residence, an authorisation is necessary to the effect that, contrary to Ordinance No. 53, no such prescribed identity card must, for the present, be issued to the persons as mentioned under IV. 3 (b) aa) and 3. (b) bb) and IV. 4. (a) above.

/5.

5. In order to effect the retransfer of the persons mentioned under IV.3(b) cc) and IV.4.(b) - (i) above, special measures by Military Government are necessary enabling a compulsory retransfer to take place under requisite Police cover.

The authorisations solicited from Military Government in para V. above are the basic prerequisites for the practicability of the whole plan. Should there be no possibility of granting these authorisations or any one of them, the Laender would see no way for an even temporary settlement of the illegal refugee problem.

For the implementation of the measures proposed above, the Laender of the British Zone have agreed upon the following:-

1. The proposed Screening Centre should be a joint institution of the Laender of the British Zone including Hamburg.

2. The Screening Centre should be a transit and distribution agency for the persons admitted to the camp. They will be apportioned to the Laender of the British Zone in accordance with directives still to be fixed. No additional burdens by an increase of population must accrue to Land Schleswig-Holstein as compared with the existing procedure. Hamburg is expected to be included in the implementation of the Brunswick Agreement.

3. The establishment of the Screening Centre and the carrying through of the above proposed measures will be contingent upon a suspension of the Military Government legislation of December 1947 on the reception and distribution of illegal refugees within the Laender of the British Zone, during the existence of the Screening Centre.

4. The total expenditure arising from the establishment, maintenance and implementation of the functions of the Screening Centre, will be borne proportionally by all the Laender of the British Zone.

Also, this regulation does not constitute a solution of the illegal refugee problem. On the contrary, it will further still aggravate the already impossible housing conditions in the British Zone since, for humanitarian reasons, it involves an extension of the categories of people so far eligible under the Brunswick Agreement. That is why another urgent request is made to bring about a trizonal exchange of refugees, with the inclusion of the French Zone, and to enable the building industry of the British Zone to carry out a large-scale construction programme of new dwellings by making credits available, particularly from the European Recovery Programme. This request is all the more justified, since the problem involved is not only a German but also a European one.

For the Minister of Social Affairs
Land North Rhine/Westphalia

sgd. Dr. Weber
Ministerialdirektor

For the Minister of the Interior
Land North Rhine/Westphalia

sgd. Jenner
Ministerialdirektor

For the Minister for Reconstruction
Land North Rhine/Westphalia

sgd. Heller
Ministerialdirigent.

Certified true translation.

Brunswick Agreement of 6 Feb 1948

Of persons entering the British Zone from the Russian Zone, the following categories will be accepted:-

1. Persons entering for the purpose of being united with their families.

   Families will, however, only be united in the following cases:-

   (a) Spouse with spouse (domicile of the bread winner to be decisive).

   (b) Unprovided minor children with their parents.

   (c) Parents, requiring help, with their children bound to pay alimony.

2. Persons persecuted by reason of their political attitude (membership in existing parties) provided this persecution can be proved. Screening in this respect must be recognised by the corresponding party in the British Zone.

3. Persons who are recognised to be hardship cases. Such cases of hardship are:-

   (a) Persons entering directly from territories occupied and administered by the Poles or from the Eastern territories ceded to Russia.

   (b) Persons who prove that they had to give up their residence by reason of personal safety.

4. Unattached persons without dependants whose entry is urgently desirable, in view of labour policy considerations, according to a decision given by the labour exchange authority, if the latter guarantees placement.

Certified true translation

??????????

Der Ministerpräsident
des Landes Nordrhein-Westfalen.

12th February 1949.

From: Minister President ARNOLD,
Land North Rhine/Westphalia.

Subject: Admission of illegal refugees

Ref: Your NRW/RC/3001 dated 22nd December 1948.

My dear General,

On the basis of your NRW/RC/3001 of 22 Dec 1948, the Minister of Social Affairs, in conjunction with the Minister of the Interior and the Minister of Reconstruction, prepared a proposal which is enclosed in the annexure. Also the Minister of Labour has, in principle, agreed to this proposal, but he has pointed out the following doubts:-

(a) It was doubtful, he said, whether it would be possible to implement and finance the proposed reasonable occupational measures with a view to checking the readiness and ability to work of the illegal refugees in the Munsterlager.

(b) It was equally impossible to foresee whether it would be practicable to ensure that the persons screened "be distributed among the Laender and absorbed in the population in consonance with available vacancies and housing facilities". What was required for the realisation of this plan would be both vacancies and a corresponding amount of accommodation space. At present, anything of this kind would hardly be available in Schleswig-Holstein or Lower Saxony. Although the Rhenc-Westphalian economy required for reestablishing its full productivity about 200,000 efficient workers of the younger age groups, accommodation was lacking in this Land too, particularly where such labour was most urgently required. Especially the effects of the equalisation of burdens, the difficulties in the fields of credits and financing, the impediments in imports and exports and those resulting from the coal, power and raw material supplies as well as the repercussions of dismantling might prove to be disturbing factors and might result in a further drop in reported vacancies, also in North Rhine/Westphalia. It should be stressed, further be considered that for the personnel replenishment measures in the Rhenc-westphalian industrial area, there existed definite plans and commitments such as the resettlement of legal refugees from Schleswig-Holstein, the recruitment of retrainee-miners from Southern Germany and Berlin, the inter-regional adjustment measures for unemployed from the outlying districts, etc.

(c) It was to be anticipated that the Munsterlager would very soon be occupied to its maximum capacity and it was therefore to be feared that, due to the temporary lack of suitable vacancies and accommodation, considerable backlogs would occur in the distribution of the masses among the various Laender.

On 24 Jan 1949 there was held a conference of the Land Refugee Administrations of the Laender in the British Zone. In this conference, the Lower Saxon Minister for Refugee Matters, the Minister for Resettlement and Reconstruction of Land Schleswig-Holstein and the Senator of the Social Department in Hamburg agreed to the enclosed proposal and promised that they would inform the Ministers President of their Laender and the Governing Burgomaster of Hamburg accordingly and that they would recommend them to advocate this proposal in their next interview with General Robertson. May I request that this proposal may also be sponsored from your end?

Assuring you of my highest esteem,

Yours very sincerely,

sgd. ARNOLD

To: Major General W.H.A.Bishop, CB. OBE.,
Dusseldorf.

Translator: (Dr. Dencker)

RESTRICTED

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2 June 1949

TPCR/P(49)1

TRIPARTITE COMMITTEE ON GERMAN REFUGEES

The attached paper

Formation of a Tripartite Committee on German Refugees

received from the Tripartite Secretariat will be considered by the Tripartite Committee on German Refugees at its first meeting.

EDWARD W. LAWRENCE
Recorder

RESTRICTED

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TRIPARTITE SECRETARIAT
Office of the U.K. Secretary
82 HQ C.C.G. (BE)
B. A. O. R. 2

TRISEC/Sec(49)57

25 May 1949

TO: UK Political Adviser
French Administrative Adviser
US Governmental Affairs Adviser

SUBJECT: Formation of a Tripartite Committee on German Refugees

1. At their sixteenth meeting held on 17 May 1949, the three Military Governors approved the attached proposal (TRIB/P(49)40) for the continuation of the Tripartite Working Party on German Refugees as a permanent Committee on the understanding that:

a. the Committee will cease to exist when the Occupation Statute comes into force;

b. the Committee's activities on emigration matters shall be confined to emigration of German Refugees.

2. The above decision is forwarded to you for implementation.

(s) P.A.R. Spearman
(t) P.A.R. SPEARMAN
Duty Secretary
Tripartite Secretariat

Copies for information to:

UK Manpower Adviser
US Manpower Adviser

RESTRICTED

11 May 1949

TRIB/P(49)40

FORMATION OF A TRIPARTITE COMMITTEE
ON GERMAN REFUGEES

The Tripartite Working Party on German Refugees was established following an exchange of correspondence between the French, British and U. S. Military Governors, for the purpose of examining the problem of the redistribution of refugees within Western Germany. On 8 March the U. S. Military Governor proposed to the British Military Governor that the Tripartite Working Party on German Refugees be formalized as a permanent committee under the Tripartite Board to deal with the refugee problem in conjunction with the German authorities.

In view of the foregoing, it is recommended that the meeting of the British, French and U. S. Military Governors approve the continuance of the Tripartite Working Party as a permanent committee charged with:

1. Dealing with the refugee problem in conjunction with the German authorities;
2. Considering all questions concerning refugees, demographic pressure, emigration and related matters;
3. Representing the three Military Governors in negotiations with the German authorities concerning refugees.

RESTRICTED

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5 August 1949

TPCR/P(49)9

TRIPARTITE COMMITTEE ON REFUGEES

PRIVATE OFFICE OF THE FINANCIAL ADVISER

(BERLIN HEAD OFFICE)
82 HQ. CCG (BE)
BERLIN, BAOR. 2.

25/7/49

SUBJECT: Finance for Emigration

I am afraid that this office can add nothing very helpful to our previous comment on this subject. The comment of the U.S. Economic Adviser is statistically unobjectionable, and any plan to appropriate $ 59 in the present year to finance emigration and a proportionately reduced amount in each successive year, would involve:

(a) an allocation of ERP aid in dollars specifically to refugees;

(b) the allocation of a total cost, which is otherwise spread over a period of years, in the first year. This is in fact anticipation of aid and would fall upon Germany when her needs are particularly clamourous. That this is so can be seen from the reduced figures for ERP aid in ensuing years.

We have not been approached by the U.S. Financial Adviser on this subject, and I note that your American colleagues' enquiry was answered by the Economics Adviser.

The question of the upward revision of the Marshall Aid figures for the Bizone is one which perhaps the Congressional Committee on Refugees might well take up with E.C.A., but within the present formula for the allocation of aid and the use of its local currency counterparts, we cannot allocate aid to one element of the community, except by consideration of the contribution that element can make towards the revival of the economy by receipt of such aid.

You state that the IRO figure of $ 250 as the average cost of transporting and resettling a refugee is, in your opinion, disproportionately high. It is, however, probably not inflated by 800%.

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4 August 1949

TPCR/P(49)8

TRIPARTITE COMMITTEE ON REFUGEES

The attached papers

The organized movements into Land Wuerttemberg-Hohenzollern for the period 1 Oct 48 - 20 July 49	No. 1
Vocational breakdown of the refugees to be transferred from Bavaria to the French Zone	No. 2
Vocational breakdown of the refugees to be transferred from Niedersachsen to the French Zone	No. 3
Vocational breakdown of the refugees to be transferred from Schleswig-Holstein to the French Zone	No. 4

are submitted by the French Member for the consideration of the Tripartite Committee on Refugees.

EDWARD W. LAWRENCE
Recorder

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4 August 1949 TPCR/P(49)8

Paper No. 1

FRENCH ZONE OF OCCUPATION

Land Wuerttemberg-Hohenzollern

Collective Movements to Land Wuerttemberg-Hohenzollern, for the period between 1 October 1948 to 20 July 1949.

Origin:	a)	Denmark	9,756
	b)	Bavaria (coming from Austria and beyond)	2,300
	c)	Bavaria X	1,080
	d)	Lower Saxony X	1,152
	e)	Schleswig-Holstein	1,024

X Movements taking place. Trains arrived 20 August 1949

Individual movements to Land Wuerttemberg-Hohenzollern, for the period between 1 October 1948 to 31 May 1949

a)	with previous individual authorization	16,363
b)	illegal arrivals authorized to remain upon screening at Camp Balingen	1,616
		17,979

Approximately a total of 38,000 new arrivals have settled in Wuerttemberg-Hohenzollern, representing

3.5% of the population on 17 May 1939
3.42% " " " " 29 Oct 1946

Assistance to Refugees:

In May 1949, refugee assistance was rendered in 6,215 cases, concerning 15,500 refugees.

The proportion of needy refugees is 3.2 times larger than the proportion of the needy native residents.

468 have been billeted with institutions.

The welfare expenses amount to 400,000 DM per month.

Work for the refugees:

The greatest majority of refugees belong to the salaried or subaltern working class. The number of self-employers or white collar workers is extremely low. The refugees are generally employed doing work in the lowest paying bracket.

Distribution of the refugees among the various fields of occupation:

a)	Industry and specialists	54.3%	against	67.9% of autochton
b)	Agriculture and forestry	23.8%	against	15.3%
c)	Domestic positions	12.8%	against	7.5%

As of 1 July 1949, the number of jobs not yet provided amounted to only 5,400, which is being considered insufficient to put to work a total of 8,000 workers (with dependents) provided on the program of collective transportation, transfers to which we must add the previous individual transfers

4 August 1949 TPCR/P(49)8

Paper No. 2

Translation

B A V A R I A

35% of the Refugees to be Accepted - 2750 Workmen

Vocational Group	Proposed No.	Ehingen cath.	Ravens cath.	Wangen cath.	Tettna cath.	Lindau cath.	Reutling cath.	Total
Agriculture	840	95	290	200	105	150	-	840
Forestry	120	9	22	9	11	10	-	61 fam.
Metal industry	70	-	23	-	-	-	67	90
Workers in Wood	40	6	6	4	10	10	12	48
Textile Workers) Clothing Manuf.)	670	40) 20)	200) 35)	60) 10)	-	-) 10)	300	675
Construction Workers	250	20	70	15	50	21	80	256
Gastronomy	120	-	10	10	20	80	-	120
Housemaids	530	50	100	50	80	100	150	530
Unskilled Workers	150	20	30	20	20	60	-	150
	2790	260	786	378	296	441	609	2770

	Camp Oberstadion	Camp Weingarten	Camp Lindau Reutin	Camp Reutlg.
capacity	200	400	250	150

Note: The figures 120 inserted for gastronomy and 150 for unskilled workers will be reduced according to the number of special vocational groups accepted.

4 August 1949 TPCR/P(49)8

Paper No. 3

Translation

LOWER SAXONY

25% of the Refugees to be Accepted - 2000 Workmen

Vocational Group	Proposed No.	Calw ev.	Freudenst. ev.	Baling ev.&cath.	Rottweil ev.&cath.	Muensingen ev.	Hechingen ev.	Total
Agriculture	600	130	70	30	60	250	60	600
Forestry	90	78	43	12	20	7	4	164
Metal Industry	60	17	15	12	35	-	3	82
Workers in Wood	30	17	20	20	-	-	3	60
Textile Workers) Clothing Manuf.)	500	37) 5)	6) 10)	55) 250)	4	-	21) 112)	500
Construction Workers	100	21	21	26	20	-	12	100
Gastronomy	85	20	35	-	-	5	5	65
Housemaids	400	80	90	70	70	20	30	360
Unskilled Workers	125	20	-	-	50	-	-	70
	1990	425	310	475	259	282	250	2001

	Camp Wildberg	Camp Freudenst.	Camp Balingen	Camp Munsingen	Camp Hechingen
capacity	100-150	150	300	180	350

4 August 1949 TPCR/P(49)8

Paper No. 4

Translation

SCHLESWIG - HOLSTEIN

40% of the Refugees to be Accepted - 3250 Workmen

Vocational Group	Proposed No.	Biberach cath.	Saulgau cath.	Sigmarin-gen cath.	Horb mixed	Tuebin-gen ev.	Reutlin-gen ev.	Tutt-lin-gen ev.	Total
Agriculture	960	240	400	200	120	65	60	20	1105
Stone masons	-	10	-	-	10	10	20	5	55
Forestry	100	9	11	45	4	26	-	30	125
Metal Industry	90	-	7	-	22	2	-	17	48
Workers in Wood	55	6	5	3	27	4	-	10	55
Textile Workers)	100	5)	-	14)	9)	62)	-	6)	193
Clothing Manuf.)		5)		8)	13)	56)		15)	
Construction Workers	200	40	20	20	40	60	-	20	200
Gastronomy	150	10	20	20	10	40	-	10	100
Housemaids	750	100	50	50	50	150	-	50	450
Unskilled Workers	700	20	20	20	20	20	100 m. 200 w.	50 m. 100 w.	550
	3105	445	315	495	523	380	333	380	2881
						various handicrafts			120
									3001

Camp:	Biberach	Sigm. Niedernau	N'au Niedernau	Tuttlingen
Capacity:	1000	80	4000	120

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4 August 1949 TPCR/P(49)7

TRIPARTITE COMMITTEE ON REFUGEES

Translation Frankfurt, 7 July 1949

Aide Memoire

The distribution of the 29,000 skilled workmen together with their families has been agreed upon by the Laender of the French Zone and the dispatching Laender Schleswig-Holstein, Lower Saxony and Bavaria as follows:

There will be resettled:

1.	from Schleswig-Holstein to Rhineland-Palatinate	5,750	skilled	workmen & :
	" " " " Wttbg. Hohenzollern	3,250	"	"
	" " " " Baden	5,500	"	"
2.	from Lower Saxony to Rhineland-Palatinate	4,750	"	"
	" " " " Wttbg. Hohenzollern	2,000	"	"
	" " " " Baden	500	"	"
3.	from Bavaria to Rhineland-Palatinate	4,500	"	"
	" " " Wttbg. Hohenzollern	2,750	"	"

signature

Dr. Schreiber

4 August 1949 TPCR/P(49)6

TRIPARTITE COMMITTEE ON REFUGEES

LAND WUERTTEMBERG-HOHENZOLLERN
Ministry of the Interior

Tuebingen, 15 July 1949
Hausserstr. 43

Commissioner for Resettlement
File No. 3117 A Sch/Da

Translation

To Office of Military Government for Germany (US)
Civil Administration Division
Berlin
Attn: Mr. Edward W. Lawrence

Dear Mr. Lawrence,

I wish to acknowledge with thanks your letter of 7 June 1949 and take the liberty of answering the questions raised by you, as follows:

1. At the meeting held on 10 June 1949 in the office for expellee problems of the Bizonal Administration in Frankfurt/Main, the representatives of t Laender Rhineland-Palatinate and Baden declared that they are unable to receive the first contingent of 120,000 refugees in the French Zone as long as there is no assured financial basis for such reception, in other words, arrival at a trizonal financial adjustment.

   I stated on behalf of Land Wuerttemberg-Hohenzollern that our Land would begin receiving its pro-rata share of the first contingent. Accordingly we started on the work of resettling in Land Wuerttemberg-Hohenzollern 8,000 workers from Schleswig-Holstein, Lower Saxony, and Bavaria.

   The first movement from Bavaria arrived in Ravensburg on 25 June 1949. The first movements from Schleswig-Holstein and Lower Saxony both entered our Land on 10 July 1949. New shipments are arriving every day, each numbering from 250 to 400 persons. These first arrivals were received in an efficient manner and as yet there have been no major difficulties in furnishing accommodations.

2. No final procedure has been worked out with regard to the financial adjustment so far. Transportation costs are borne by the Laender of origin up to the destination station in our Land. There is no question that in view of the very strained finances of our Land it is extremely doubtful whether the refugees can be properly integrated without substantial financial assistance by the Laender of the Bizone or from ERP funds.

3. With regard to the further transfer of 180,000 persons, necessary prepara are at present being coordinated with the ministerial departments concern for resettling our share of these. I shall inform you as soon as the fir phase of this work has been concluded.

I should like to suggest that a joint conference of the Military Governments interested and the responsible German agencies be called for the purpos of clearing some fundamental questions.

Very respectfully yours,

signed Dr. Schaefer

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19 July 1949 TPCR/P(49)5

TRIPARTITE COMMITTEE ON GERMAN REFUGEES

The attached letter from the Economics Adviser OMGUS to Civil Administration Division concerning dollar assistance to the emigration of German refugees is submitted by the U.S. member to the Tripartite Committe on German Refugees for consideration at its fourth meeting.

EDWARD W. LAWRENCE
Recorder

1/ July 1949 TPGR/P(49)5

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
APO 742

SUBJECT: Financial Assistance to the Emigration of German Refugees

1. The dollar support of the German economy and the per capita expenditure per individual for the remaining years of the ERP are approximately as follows:

Fiscal Year	U.S. Dollar Support (million)	Expenditure per Capita (dollars)
1949/50	875	20
1950/51	750 *	17
1951/52	600 *	13
1952/53	400 *	9

*) Estimated

It will be noted that the support expenditure per individual for the next four years amounts to $59.00.

2. The average net annual population increase (births over deaths) in the Bizonal Area is 0.55% of the total population, or approximately 230,000. This represents an increase of 920,000 persons during the next four years. The dollar support of these 920,000 individuals during the period ending in 1952-53 will amount to $29,670,000 at the rate of expenditure stated above.

3. The cost of transporting and resettling this number of persons applying the average IRO expenditures of $250.00 per individual for this purpose would therefore amount to $230,000,000 without effecting a reduction in the present German population.

4. As can readily be seen, the cost of keeping apace with the natural increase in the German population alone would be almost eight times that required to maintain this number within the German economy during the life of the ERP.

5. It appears therefore that the proposal to divert a portion of the dollar funds now being used or planned for in support of the German economy for emigration of refugees cannot be considered as a suitable procedure to solve the population pressure problem within the Bizonal Area which was created by the influx of refugees during the post-war period.

signed L. WILKINSON
Economics Adviser

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23 June 1949 TPCR/P(49)4

TRIPARTITE COMMITTEE ON GERMAN REFUGEES

The attached paper

Modification of Tripartite Exit Control Agreement

received from the Tripartite Secretariat will be considered by the Tripartite Committee on German Refugees at its third meeting.

EDWARD W. LAWRENCE
Recorder

CONFIDENTIAL

TRIPARTITE SECRETARIAT
Office of the French Secretary
Room 551 - Headquarters Bldg.
Frankfurt

TRISEC/Sec(49)70

20 June 1949

To: Combined Travel Board
Bad Rothenfelde

Subject: Modification of Tripartite Exit Control Agreement

1. At their eighteenth meeting on 15 June 1949, the three Military Governors considered a proposal by the Manpower Advisers to ease the present restrictions on emigration (TRIB/P(49)39/1). The meeting, subject to the substitution of the words "appropriate technical staff" for "Manpower Advisers", approved this proposal, and agreed that while the principle of freedom of emigration from Germany is recognized, for the time being certain restrictions will be necessary as circumstances may from time to time require.

2. Accordingly, the Tripartite Exit Control Agreement for Germany, dated 27 May 1948 is hereby amended as follows:

a. Beneath the heading "Agreement" the paragraph preceding Section A should read as follows:

> "While the principle of freedom of emigration from Germany is recognized for the time being certain restrictions will be necessary as circumstances may from time to time require. Therefore, pending such time as it may be found practicable to set up full quadripartite travel control procedures regarding Germany, it is agreed that all exist control problems involving departure of groups or individuals from the three Western Zones of Germany shall be classified and handled as follows:"

b. Paragraph 4 of Section C is rescinded and the following substituted therefor:

> "Those classes of workers designated by the appropriate technical staff as essential. For this purpose, the appropriate technical staff shall periodically review the relevant data concerning the demand for and supply of labor, and jointly inform the Combined Travel Board of any group or groups of persons by occupations, industries, age groups or geographical locations, as the case may be, whose retention in Germany is considered to be essential and who should not therefore, for the time being, be granted exit permits."

3. It is requested that the necessary action be taken to implement the above decisions.

/s/ H. J. Joos
/t/ H. J. JOOS
Duty Secretary

Copy to: Tripartite Committee on
German Refugees
US, UK, Fr. Manpower Advisers
" Political "

CONFIDENTIAL

7 June 1949 TPCR/P(49)3

Dr. Schreiber
Amt fuer Fragen der Heimatvertriebenen
bei der Verwaltung des Vereinigten
Wirtschaftsgebietes
50, Feuerbachstrasse
Frankfurt a.M.

Ministerialrat Dr. Schaefer
Commissaire aux Refugies pour le Wurtemberg
Tuebingen (French Zone)

Dear .....

The Tripartite Working Party on German Refugees was established in January of this year following an exchange of correspondence between the French, British and U. S. Military Governors, for the purpose of examining the problem of the redistribution of refugees within Western Germany.

On 17 May the French, British and U. S. Military Governors approved the continuation of the Tripartite Working Party as a permanent committee under the Tripartite Board charged with:

1. Dealing with the refugee problem in conjunction with the German authorities:

2. Considering all questions concerning refugees, demographic pressure, emigration and related matters:

3. Representing the three Military Governors in negotiations with the German authorities concerning refugees.

In accordance with the foregoing on 2 June 1949 the Tripartite Committee on Refugees agreed:

"To instruct the Recorder to write to the appropriate German refugee authorities in the Bizonal Area and in the French Zone informing them of the Committee's interest in the transfer and requesting information concerning the status of:

(1) the progress of the actual physical movement of the initial 120,000 persons to the French Zone;

(2) the arrangements being made for the equalization of financial burden between the Laender in connection with this transfer;

(3) the plans for the movement of the balance of 180,000 persons."

It is requested that this committee be kept informed of all future developments regarding these matters.

Sincerely,

(s)
(t) EDWARD W. LAWRENCE
Recorder
Tripartite Working Party
on German Refugees

cc.
U. S. Secretariat
Bipartite Control Office
Frankfurt, APO 757, U. S. Army

REFUGEES IN THE WESTERN ZONE OF GERMANY

SUMMARY

DEFINITION OF REFUGEE:

Entrants of German nationality or descent into Western Germany of the following classes:

Category "A": Those from foreign countries or former German territories east of the Oder-Neisse Line.

Category "B": Those from Soviet Zone or Berlin.

INCREASE IN POPULATION AND NUMBER OF REFUGEES:

LAND	Population at 1.10.48 (ex DPs in Camps) Thousands	Persons per sq. kilo-meter	Increase or Decrease in Population since 17.5.39 Thousands	% of 1939 Pop.	Total No. of Refugees Thousands	Refugees % of Total Populatio
Schleswig-Hol	2,712.3	175	+ 1,123.3	+ 70.7	1,034.4	38.2
Hamburg	1,502.9	2,018	- 209.0	- 12.2	125.7	8.3
Niedersachsen	6,745.0	145	+ 2,205.5	+ 48.6	2,017.2	30.0
Nordrhein-W.	12,608.6	371	+ 663.5	+ 5.6	1,111.4	8.8
BRITISH ZONE	23,568.8	243	+ 3,783.3	+ 19.1	4,288.7	18.2
Bremen	525.4	1,313	- 37.5	- 6.3	38.9	7.4
Hessen	4,214.0	202	+ 734.9	+ 21.1	736.6	17.4
Württemberg-B	3,811.1	246	+ 593.8	+ 18.5	728.1	19.2
Bayern	9,141.2	133	+ 2,103.5	+ 29.9	2,086.1	22.8
U.S. ZONE	17,691.7	167	+ 3,394.7	+ 23.7	3,589.7	20.3
Süd-Baden	1,245.9	127	+ 28.7	+ 2.4	48.2	3.8
Süd-Württemberg	1,153.3	106	+ 77.4	+ 7.2	62.1	5.4
Rheinland-P	2,843.8	143	- 118.3	- 4.0	78.2	2.8
FRENCH ZONE	5,243.0	130	- 12.2	- 0.2	188.5	3.6
WESTERN GERMANY	46,503.5	191	+ 7,165.8	+ 18.2	8,066.9	17.4

LOCATION OF REFUGEES:

The main concentration is in the country areas. In 1946 in Stadtkreise and Landkreise refugees were 6 1/2 % and 20 % respectively of the total population. Some 900,000 refugees had moved into Stadtkreise but, because of the vast evacuation of the native population, the total population of Stadtkreise had fallen by nearly one-eighth since 1939. Refugees in the towns are now complicating the return of the native population. At the

same time it is most desirable to move refugees to the towns to provide employment for them. Since 1946 there has been a slow return of the population to the towns.

ORIGIN OF CATEGORY "A" REFUGEES AT 29.10.46:

	British Zone %	U.S. Zone %	French Zone %
From E. of Oder/Neisse	79.3	26.2	33.6
From Poland	7.0	3.9	7.8
From Czechoslovakia	2.5	51.1	7.8
From Other Countries	11.2	18.8	50.8
	100.0	100.0	100.0

PRESENT INTAKE OF REFUGEES:

Some 30,000 new refugees of Categories "A" & "B" together are being registered each month in the British Zone; some 15,000 of Category "A" in the U.S. Zone where Category "B" refugees are not registered.

AGE AND SEX STRUCTURE:

Amongst Category "A" refugees the percentage of working age is roughly similar to that amongst the population as a whole, but the average age is definitely younger. There are more children proportionately and substantially fewer at the older ages. The sex distribution is slightly worse in the British Zone but better in the U.S. Zone and distinctly better in the French.

Category "B" refugees are very favourable on both age and sex distributi and constitute a very beneficial population from the point of view of the labour market.

HOUSING:

The only separate information for refugees is a small enquiry in Hesse which showed that refugees were roughly twice as cramped in their housin accommodation as the native population. This is probably at least true of the rest of the Bizonal area. The housing conditions of the population as a whole show overcrowding in the British and U.S. Zones.

Schleswig-Holstein have an average of about 2 persons per living room, the other LÄnder in the British Zone 1 1/2 persons or more. To give a ratio of 1 person per room would demand at least 6 1/2 million new livin rooms for the British Zone. Conditions in the U.S. Zone are similar

In the British Zone there is an average of under 7 sq. metres of floor space per person (only 5.4 in Schleswig-Holstein); in the French Zone the average is about 9 square metres.

A rough estimate shows the following increases in the number of persons per dwlling:

	British Zone	U.S. Zone	French Zone
1939	3.3	3.8	3.9
1946	5.5	5.4	4.2

The building of new houses in the British and U. S. Zones has failed to keep pace with the influx of new population. New refugees, we are informed, are in general crowded into existing houses in the possession of refugees and fresh demands are not being made on the native population.

About ¾ million refugees in the Bizonal Area are living in sub-standard camps (excluding transit camps).

EDUCATION:

British Zone figures suggest that the refugees have a reasonable share in the total number of scholars and university students, but there are no figures to show the relative standards of education.

LOCAL COUNCILS:

In WS on 28.11.46 only 18% of those elected to the Kreistage were refugees although their share in the total population was 30%. Four of the KPD candidates elected were refugees out of a total of 439 refugees elected.

PUBLIC WELFARE ASSISTANCE:

In the British Zone 300,000 refugees with 330,000 dependents were receiving public welfare assistance. With the exception of Hamburg this represents 15% of refugees in each Land. Only 5% of the native population were on relief. The basis for relief differs in the U. S. Zone. In Bavaria and Hesse the proportions were 27% and 19% amongst refugees compared with 3% and 4% amongst natives. Despite, therefore, the relatively favorable age structure, a much higher proportion of refugees found it necessary to obtain relief.

EMPLOYMENT:

In January 1949, 7.0% of the labor force of wage and salary earners were unemployed in the British Zone, 8.4% in the U. S. Zone, but only 1.8% in the French Zone. U. S. Zone figures suggest that proportionately unemployment was over twice as high amongst refugees as amongst the native population. Laender with a high proportion of refugees have a high unemployment rate.

	Unemployed as percent of labor (a) force at 31.12.48		Percent of refugees in population at 1.10.48
	Males	Females	
Schleswig Holstein	15.2	11.1	38.2
Niedersachsen	8.9	6.7	30.0
Bayern	8.7	7.4	22.8
Wuerttemberg-Baden	2.6	2.3	19.7
Hessen	4.6	5.0	17.4
Nordrhein-Westfalia	3.2	3.6	8.8
Hamburg	4.7	3.6	8.3
Bremen	5.2	4.4	7.4
French Zone	1.8(b)		3.6

(a) Wage and salary earners only (b) at January 1949

Regular analysis of refugee employment is only possible separately for refugees in the U. S. Zone. It would appear that many refugees, probably mainly those previously self-employed, have failed to register for employment. Of those registered at the end of 1947 only 4% of the refugees were self-employed compared with 35% among the native labor force.

In the U. S. Zone Laender 31% of the male refugee workers registered had as their normal occupations agriculture or laboring: 38% of the female refugee workers registered were normally in agriculture or domestic service. 88% of the total registered male refugee labor force were employed at 1.10.48 and 71% were in their normal occupations. Those normally employed in agriculture, building or as laborers had most easily found their way into their ordinary type of employment. On the other hand a large share of those normally employed in food processing, catering and commerce had had to find other occupations. With women the situation was more favorable. Here 80% were employed in their own occupations.

Analysing the unemployed refugees amongst their normal occupations it was found that the actual numbers were highest in the following occupations:

Men: Commerce and Administration (18% of the total numbers unemployed) laborers and helpers (15%) metal and related trades (10%) agriculture (10%)

Women: Commerce and Administration (17%) Helpers Textiles (15%), Domestic Servants (13%)

Although the above figures suggest that the majority have found employment in their normal occupations, there has been a down-grading in the status of each occupation particularly in agriculture. This has already been shown in the large decline in the proportion of self-employed. The following selected figures relating to Nordrhein-Westfalia in August 1947 show this tendency:

OCCUPATION	% BEFORE MIGRATION			% AT 1.8.47		
	Self-Emp. & Family Helpers %	Officials & Clerks %	Manual Workers %	Self-Emp. & Family Helpers %	Officials & Clerks %	Manual Workers %
Men: Agriculture	60	4	36	3	3	94
Commerce	30	68	2	24	72	4
All Occupations	24	34	42	5	20	75
Women:						
Agriculture	59	3	38	2	1	97
Textiles	26	4	70	15	3	82
Commercial	18	80	2	7	90	3
All Occupations	18	44	38	3	21	76

Above report prepared by
Statistical Working Party.

Karl A. Shafer U. S.

J. de Portzampare French

G. A. Deane British

2nd March, 1949.

III. Examination of Possible Remedial Action

The Tripartite Working Party is of the opinion that the possible remedial action falls naturally under two headings (a) short term and (b) long term, and considers that the tasks to be undertaken as short term action are those which will ensure to the refugees the best possible housing accommodation and access to the necessities of life, e.g. food, clothing and other consumer goods. This short term remedial action is considered in the following paragraphs.

UK/US 1. Redistribution

In the opinion of the U.S. and British members of the Tripartite Working Party:

a. The most important step which can be taken immediately is the redistribution of population on a more equitable basis, and it is considered that the amelioration of the present bad living conditions which would result from such a redistribution is an indispensable prerequisite of assimilation. The present overcrowding in the rural areas of Schleswig-Holstein, Bavaria and Niedersachsen imposes upon the Land Governments of these Regions a burden which they are not capable of bearing and inflicts on the indigenous population an unfair share of the congo and disorganization which follows the influx of the immigrants. It is consi[illegible] the only area into which an immediate transfer of population is possible is the French Zone, the aggregate population of which is even now not more than in 1939.

b. A study has been made of the various cases of computation on which such transfers might take place. These are as follows:

(1) On the basis of the proportion of the refugee population in each Land to the total population. This method would involve the acceptance by the French Zone of some 721,000 refugees.

(2) On the basis of the availability of floor space. This method would involve the transfer of 1,580,000 refugees

2. Housing

a. The Tripartite Working Party considers that the vital necessity for an immediate start on a well planned and comprehensive programme should be brought urgently to the attention of the German Authorities. The long term aspects of such a plan will involve a careful study of the incidence of existing industries as well as plans for new ones in relation to the present availability of housing. This may take time and should be given first priority, but an attack on the problem of war damage in towns can be undertaken without delay. There is a wide field for the employment of unskilled labour in the clearance of ruined and damaged buildings and the reclamation of building materials. This work is an indispensable preliminary to the repair and reconstruction of damaged buildings of all kinds. At present very little is being done to increase living accommodation. One reason for this is that rents are fixed at a level which provides no profit to the builder or landlord and it is alleged that the provisions of Control Council Law No 18 acts as a deterrent to private building.

b. In addition the following methods of increasing the available accommodation merit consideration by the German Authorities:

(1) Insistence on the maximum use of all existing accommodation.

(2) The provision of extra kitchens to overcome the disadvantages of several families sharing the same kitchen.

(3) An increase in the quota of building materials to those engaged in the erection of dwelling houses.

(4) Priority to be given to the reconstruction of houses requiring the minimum quantity of labour and material.

(5) The encouragement of co-operative building societies, in particular those formed by refugees.

(6) Tax alleviation to be granted on all new buildings suitable as dwelling houses.

c. An adequate building programme will require to be financed

3) the present distribution, defective but time-sanctioned, between various regions and different professional branches,

4) overall burden, resulting from war, supported by each Land.

5) housing conditions prevailing

6) average present European standards of living,

7) overall economic rehabilitation plans for Germany, Europe and the world.

8) possibilities and conditions, existing or to be created inside Western Germany, for integration in Agriculture, Trade, Industry etc...

d) Until such a long term plan is available, the French member cannot recommend any mathematical redistribution, neither fix a ceiling for a priori.

He points out that all formulas for redistribution, based on one single criterion, necessarily give irrational and contradictory results.

If the Long term ERP plans for the French Zone mention, as an eventuality, an increase of 15% in the population until 1955 the Bizonal plans, foreseeing an increase of 30 to 35% - double the actual present figure notwithstanding any plans for evacuation or transfer - admit the principle of a proportion of refugees in the Bizone almost three times as high as in the French Zone and Foreign, together with the incorporation of Berlin, the coming of 6,000,000 more refugees.

e) The French delegate, recalling the failure of all previous tentative towards redistribution in the Bizone improvised and imposed by means of authority, feels it indispensable to have, from all interested parties a consent, based on reason: it appears that a federal Government could win such consent, provided the plan has been thoroughly studied and takes in account the human factors./French.

French [1. Redistribution

In the opinion of the French member:

a) The aim for any redistribution presently to be decided upon should be to put, with one move, a final stop to the tribulations of the refugees concerned, by procuring to them, in accordance with their freely expressed choice, not only acceptable material conditions, but also means to provide for their own needs and those of their family, derived from a durable and rentable occupation.

b) In the frame of short term measures the French Zone accepts to grant rights of residence to Germans and refugees who express a request to that effect and who

1) join their family, or

2) provide evidence of an employment contract.

The French delegate feels that the extension of these measures to other Zones, and in particular to those areas in Rhineland - Westphalia where population has decreased in comparison with prewar, would create enough vacant spaces to allow a large proportion of those refugees still living in camps, to be called in, and, by thus suppressing the present overpopulation of some camps, would render acceptable a temporary quartering in these camps.

c) To avoid creating simply, under colour of mathematically uniform distribution, uniformity in the present mal-distribution of refugees, the French member feels that a redistribution going further than measures outlined in para b) above, can result only from a long term plan taking in account:

1) the necessity of a large scale emigration to absorb the 2,500,000 unemployed foreseen in Western Germany under the long term EEC plan,

2) the demographic conditions prevailing in each Zone or Land, and in particular the percentage of women and non productive elements (130 females for 100 male in the French Zone, against 120/100 in the British Zone),

to the French Zone.

(3) On the basis of equalizing the increases in the total population (indigenous and refugee) over the 1939 figures in all Länder. This would involve the transfer to the French Zone of 969,000 people and would appear to have been the method adopted by the French authorities in computing their estimate for the E.R.P. long term programme.

c. The U.S. and British members consider that whatever basis of computation is adopted for the transfer of population to the French Zone, it is desirable that all transfers should take place on a voluntary basis, and that no refugees should be moved if possible against their will. It is understood that the French Zone has already agreed to accept two categories of refugees (a) those who are relatives of French Zone residents and (b) those (together with their families) who obtain firm offers of employment in the French Zone. While this relaxation of existing regulations is welcomed, it is not considered that it will effect sufficient amelioration in the bad living conditions of refugees in the other Zones. It is considered that transfers of population to the French Zone should take place on a scale sufficient to make the use of substandard and non-authorized camps unnecessary in the US and British Zones. At the same time, it will be necessary for the German authorities to examine carefully the possibility of redistributing the refugee population among the various Länder in each of the three Zones. It will be necessary also to ensure an equitable distribution of raw materials to the French Zone to facilitate the expansion of existing industries or the development of new ones which alone can procure the permanent economic integration of the additional population. US/UK

and the question of the provision of funds for this purpose will require early consideration by the German Authorities.

3. Distribution of Consumer Goods, e.g. Clothing, Household Goods and Furniture

The majority of the refugees arriving from the East brought with them only the minimum of clothing and household effects and a very large number arrived with nothing at all. It is considered that the German Authorities should pay special attention to the special distribution of surplus goods and clothing now taking place in conjunction with the U.S.A. and ensure that the refugees in real need receive priority. Further it may be possible to utilize public relief funds and those donated by voluntary societies for the purchase and distribution of the essential household goods and cooking utensils among those refugees most deserving.

4. Assistance from Voluntary Societies

There are now operating in Western Germany numerous German, foreign and international societies who are playing a considerable part in the alleviation of the suffering and hardships to which the refugee population are subjected. While it is understood that there exists at present some measure of co-ordination of the activities of these societies, it is considered that the operation of all voluntary societies, engaged in the distribution of relief supplies among refugees or other activities of a charitable nature, should be co-ordinated by the appropriate Department in the new Federal Government in order to avoid any overlapping and to ensure the maximum results from the funds available. The Tripartite Working Party has available a paper concerning the work of the charitable organizations operating in Germany.

5. Long Term Planning

The remedial measures recommended above for immediate action on a short term basis will not provide the final answer to the refugee problem. It is only by the integration of her swollen population into the productive economy that Western Germany can hope to eradicate the social evils, present and potential, which afflict her people. Such an objective demands, as a pre-requisite, the co-ordination study of the

various aspects of the problem and the formation of a comprehensive plan, the operation of which will necessarily require to be spread over a period of years. While any redistribution should aim to be final the further pattern of the German population can only be determined by the German Authorities after a close study of the correct relationship between the location of industry, the mobility of labour and the present and future availability of housing.

a. The Tripartite Working Party considers, therefore, that it is essential to set up without further delay a Commission composed of German statesmen and experts which will be charged with the study of the ways and means by which the successful economic integration into Western Germany of the surplus population resulting from the influx of refugees can be accomplished. This Commission will be responsible for producing workable plans for alleviation of the demographic problem in connection with the economic rehabilitation of Western Germany which can be put into operation on the establishment of the new German Federal Government. Such plans must obviously contain recommendations with regard to the finances necessary for its implementation. It is unlikely that all the funds necessary for the development of these long term projects will be available within Germany itself, but it is similarly unlikely that any foreign capital will be forthcoming unless the people and Government of Western Germany show themselves willing to make the maximum contribution from their own financial and material resources. This will involve the revision of present and future taxation designed to ensure that each and all make the fullest contribution compatible with their means.

b. There exists today a mass of statistical and other information on the refugee problem and several organizations are already making valuable contributions to its solution in a variety of ways. The Commission should arrange for the collation and study of all this available information and should ensure that the knowledge and experience of such organizations is put to the fullest advantage. Prominent among these organizations are the Evangelisches Hilfswerk, Caritas Verband, and the Political Economy Schools at Kiel University. As stated previously

in this report the formulation of a co-ordinated plan by the Commission will involve close study of the incidence of industry, agriculture and commerce, present and future, with that of population and the availability of housing, existing and planned. Among the many aspects of long term planning which will come within the purview of the Commission, it is considered that the following are important.

6. Emigration

a. The long term problem is one of such magnitude that any means of solution are worth examination, and the obvious expedient is large-scale emigration and resettlement abroad. It is, however, apparent that opportunities for large-scale emigration are not available to the German population at present. In the first place, the primary consideration of the Occupation Authorities regarding emigration is the resettlement of displaced persons. Secondly, emigration is a highly selective process, and even given willingness on the part of countries overseas to accept German immigrants it is doubtful if Germany could supply the type of acceptable immigrant without further distorting the present age and sex structure of the population.

b. This does not mean, however, that emigration does not provide at least a partial solution, and that every opportunity for emigration should not be seized and developed to the full. Indeed, emigration on a limited scale has already commenced and no barriers should be put in the way of its continuation and development when the opportunity presents itself. The U.S. pre-war quota for Germans will shortly be reopened and it is possible that a number of South American countries will be willing in the next few years to accept immigrants of German stock. Similarly, more limited opportunities exist in Europe for the emigration of some of the large number of surplus women for domestic and factory work. This is one of the fields in which the Occupying Powers can assist the German Authorities, and it is suggested that the Tripartite Working Party should continue its studies of the possibilties of German emigration and give all possible assistance to the German Federal Government in ensuring that opportunity of emigration is exploited to the full. It is also suggested that the Commission might

examine the feasibility of subsidising, by the formation of a sinking fund to provide loans to prospective German emigrants who were in a position to offer sufficient guarantee of repayment.

7. Industrial Expansion

The only restrictions on the expansion of German industry at present are those governing steel production and certain prohibited or limited industries. It is, therefore, necessary that any plans for the expansion of industry should exclude such industries. The volume of German production will be fixed by the degree to which Germany will be able to participate in world trade in order to pay for imports of food and raw materials. The industrial employment of refugee labour depends on the capacity of existing industries (other than prohibited or limited ones) to expand and absorb additional manpower and also on the establishment of new enterprises and the development of new branches of trade and industry. It is suggested that the development of new enterprises and industries should take full advantage of the skill and craftsmanship of refugees from the East, and might suitably be located in country districts where housing is already available. In this connection, it is reported that currency reform and the consequent restriction of credits have acted as a deterrent to the successful launching of new refugee enterprises owing to lack of funds for the purchase of new machinery and tools. The possibility of some relaxation of the existing credit restrictions should be examined with a view to providing more generous and longer term loans for the development of such industries. A start has also been made in the establishment of a Refugee "Trading Estate" at Espelkamp near Lubbecke, in Land Niedersachsen. This settlement is situated in an old Wehrmacht Depot and full use is being made of existing buildings. The Commission should study the possibility of establishing similar "Trading Estates" in other suitable locations throughout Germany, and it is recommended that no further destruction of non-warlike Wehrmacht installations, e.g. vehicle parks and ammunition dumps should be ordered if they are at all suitable for the housing of refugees or the provision of building materials.

8. Agricultural Expansion

A good proportion of the refugees and expellees are of farming stock and come from agricultural districts east of the Oder-Neisse Line and this is the class which, so far, it has proved most difficult to assimilate into their own profession. It is recommended that the German authorities should examine the possibilities of bringing more land under cultivation by utilising suitable uncultivated areas, military training grounds, etc. There are also in Western Germany numbers of small and medium sized farms which are being managed by women alone or by elderly people without heirs. Many of these farms would be suitable for the resettlement of selected refugee families possessing the necessary skill for their successful development. Again it is suggested that the possibility of sub-leasing land, buildings, implements, etc. to refugees from farms of more than 25 hectares, should be studied. Land reform may also produce possibilities for the resettlement of agricultural refugees and their families.

9. Educational and Vocational Training

The future of the refugee youth is one which demands the urgent attention of the German authorities, and a comprehensive educational program is a first essential. Such a program should include (a) the establishment and maintenance of vocational schools attached to specialized trades and refugee industries (b) the provision of hostels in areas where apprenticeships are available in order to obviate the refusal of possible candidates on the ground of lack of suitable accomodation (c) the provision of facilities, e.g. workshops, equipment, etc. for the training of war disabled persons, (d) the establishment of schools for agricultural training in modern methods of cultivation and marketing.

Also industrial and agricultural planning should include a survey of the categories of skills available and their locations. This will determine in which professions there exists a surplus of qualified workers and in which a shortage. The survey will also reveal which geographical areas require additional workers in the various skills and

professions and which have a surplus; the planning then should develop a comprehensive programme for vocational re-training of workers as well as for their redistribution according to availability of wo

10. Refugee Administration

The U.S. and British members consider that the establishment within the German Federal Administration of a responsible Refugee Department possessing the necessary authority and executive powers is indispensable to the successful solution of the refugee problem. This Department would be charged with responsibility for the execution of the coordinated plans finally approved by the Federal Government for the integration and rehabilitation of the refugees. It would also deal with all demographic questions +

\+ The French member reserved his position until the composition and powers of the Federal Government are further defined.

IV. Conclusions and Recommendations

In the light of the foregoing statement of the problem and the discussion of the various remedial measures which could contribute to its alleviation, and, on a long term basis, to its eventual solution, the Tripartite Working Party wish to summarize their conclusions and recommendations as follows:

1. That there exists in Western Germany a refugee problem of considerable magnitude which demands the urgent attention of the German authorities.

2. That the remedial measures to be taken divide themselves into those for immediate and short term alleviation and those which should form the subject of long-term planning.

3. Short Term Measures

UK/US [Redistribution

The British and U.S. members recommend:

(1) That redistribution of the refugee population of the three Western Zones be undertaken and that a minimum of 500,000 refugees be transferred to the French Zone.

b. The British and U.S. members further recommend that the transfer of at least 300,000 refugees from the U.S. and British Zones be initiated at once in accordance with the following principles:

(1) No person should be moved against his will.

(2) First priority should be given to the uniting of families.

(3) Second priority should be given to persons obtaining employment in the French Zone together with their families.

(4) Third priority should be given to refugees resident in the most acutely overcrowded Laender: Schleswig-Holstein and Bavaria.

(5) All substandard and non-winterized camps in the U.S. and British Zones should be emptied as soon as possible.

c. It is also suggested that a distribution key be adopted for the distribution throughout Western Germany of refugees entering the area in future.] UK/US

3. Short and Long Term Measures

French [The French member recommends:

Short-term Measures

Firstly, the extension to the U.S. and British Zones of the policy recently adopted in the French Zone and governing rights of residence as follows:

(1) no person should be moved against his will.

(2) administrative obstacles should no longer intervene with reuniting of families,

(3) persons obtaining employment should be authorized ipso facto to settle, together with their families.

Secondly, the initiation of a drive to offer as many contracts as possible for vacant positions.

(1) to refugees in the most acutely overcrowded Laender: Schleswig-Holstein and Bavaria,

(2) to refugees in substandard and non-winterized camps.

b. Long term measures

that a comprehensive study of all information or planning available be made, with a view to presenting a redistribution plan acceptable to all parties concerned and taking in account:

(1) unsettled or incoming refugees unwilling to emigrate and prepared for redistribution,

(2) demographic structure and conditions in each Land,

(3) present distribution of refugees between skills,

(4) overall burden resulting from war, supported by each Land,

(5) housing conditions prevailing,

(6) overall present European standards of living,

(7) economic rehabilitation plans for Germany, Europe and the world,

(8) possibilities and conditions of economic integration inside Western Germany. /7 French.

4. Housing

a. It is recommended that the Occupation authorities review Law No. 18 (Housing Law) in the light of modifying its provisions so as to encourage the building of new houses by private individuals.

b. It is recommended that the following measures be promulgated by the German authorities:

(1) Maximum use of existing housing to be insured by:

(a) Taxes on insufficiently occupied premises.

(b) Advantages granted to non-productive elements who free such premises as would be convenient for housing of workers. (Preferential terms to

pensioners and annuitants etc. at present living in the cities and who would consent to settle in the country; compensation between the towns and the countr for persons receiving assistance who would be transferr from the cities to the country.)

(c) Arrangement of separated or supplementary kitchens in order to surpass the essential obstacle against cohabitation of several families in the same apartment.

(d) Initiation without delay of a program for the systematic clearance of ruined and damaged buildings and the reclamation of building materials.

(e) Increase in the quota of building materials allocated to the building of housing, at the expense of the quota allocated to construction and repair of public buildings, churches etc.

(f) Concentration of available construction means on:

1. Houses which can be repaired with minimum materials.
2. Construction of new settlements in the vicinity of employment centers (i.e. essentially near the cities).
3. Construction of new plants in the neighborhood of the centers of gravity of the new population (i.e. essentially in the country or the small towns).

(g) Encouragement to the cooperative building associations in particular those formed by refugees.

(h) Tax alleviation granted to new buildings.

3. Long term planning:

a. The immediate appointment of a commission of Germans to study the problem from a long term point of view, and to formulate plans for the assimilation of the refugee population into the life and economy of western Germany is recommended.

b. Emigration. It is recommended that exit control restrictions for German emigrants be liberalized at once to enable refugee family groups, unaccompanied women and agricultural workers to leave Germany. In general, the following principles should be followed in plans for emigration from Germany:

Priority should be granted:

(1) to UNDPs in preference to refugees;

(2) to Volksdeutsche in preference to Reichsdeutsche;

(3) to refugees in preference to natives of western Germany;

(4) to family units in preference to individuals;

(5) to unaccompanied women in preference to men;

(6) to unemployed in preference to workers;

(7) to refugee agricultural workers.

6. Industrial Expansion

It is recommended:

a. No restrictions be placed on the expansion of existing industries (other than prohibited or limited ones) or on the development of new industries designed to make use of the special skill and craftsmanship of refugees.

b. The present legislation on credit restrictions be reviewed in the light of making more generous and longer term loans available to refugee enterprises.

c. The utilization of ex-Wehrmacht installations for the establishment of refugee settlements on the lines of "Trading Estates" and similar to the use at Espelkamp be considered.

7. Agricultural Expansion

It is recommended:

a. The possibilities be explored of bringing more land under cultivation by utilizing suitable uncultivated areas, such as military training grounds etc. and parcelling this land out to selected refugees.

b. The legal aspect of the law of inheritance be examined with a view to the incorporation of sponsored refugees of farming stock into existing farms now being cultivated by elderly people without heirs.

c. A scheme to sub-lease land, buildings and implements to refugees from farms of over 25 hectares be developed.

d. Any land made available as the result of Land Reform be allocated where possible to refugees possessing the necessary qualifications for its successful development.

3. Educational and Vocational Training

It is believed that:

a. Vocational retraining and redistribution of workers according to location will have to be considered.

b. The future of refugee youth calls for special attention and the urgent necessity for the production of a comprehensive program of vocational training in all its aspects should be impressed on the German authorities.

4. General

It is recommended:

a. That a coordinating body or department (depending on the composition of the Federal Government) be established at the highest possible level of the German Administration to deal with demographic questions in general and the refugee problem in particular.

b. That the Tripartite Working Party on German Refugees, which was originally established to consider the refugee problem, be formalized as a permanent body under the Tripartite Board, its terms of reference being broadened in agreement with the wish expressed by General Koenig to cover the overall problem of demographic pressure. This Working Party should also consider the refugee problem in conjunction with the coordinating body or department in the German Federal Administration and render that coordinating body or department all possible assistance.

Extract from TRIB/C(49)6

THE TWELFTH MEETING OF THE MILITARY GOVERNORS OF THE THREE WESTERN ZONES HELD AT FRANKFURT ON 31 MARCH 1949 at 1000 HOURS

Conclusion 71

REPORT TO THE MILITARY GOVERNORS OF THE TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

The Meeting considered TRIB/P(49)23

THE MEETING:

(a) Agreed to instruct the responsible German authorities (the Economic Council in the Bizonal Area and the corresponding body in the French Zone) to consult together with regard to the incidence of financial burdens resulting from the presence of refugees in the various Laender, including the proposed transfer of 300,000 to the French Zone, with a view to proposing measures whereby the financial burdens may be more equitably borne, taking into account the financial situation of the Laender.

(b) Noted that those refugees whose transfer has been accepted by the French Military Governor for the purpose or reuniting families or fulfilling employment engagements would continue moving and that their numbers would be included within the 300,000 whose transfer to the French Zone was under discussion.

(c) Agreed to inform the Laender authorities that they are not debarred from passing legislation modifying or repealing provisions of Control Council Law No. 18.

4. The report will be [illegible] for the consideration of the Three Military Governors at their meeting on 31 March 1949.

[illegible]

[illegible] Major GSC

M. J. COULSON

Tripartite Secretariat

RESTRICTED

Extract from CONCLUSIONS TRIB/C(49)7

OF THE THIRTEENTH MEETING OF THE MILITARY GOVERNORS OF THE THREE WESTERN ZONES HELD AT FRANKFURT ON 14 APRIL 1949 at 1000 HOURS

CONCLUSION 76

CONFIRMATION OF CONCLUSIONS OF THE TWELFTH MEETING OF THE THREE MILITARY GOVERNORS

The Meeting considered TRIB/C(49)6.

THE MEETING:

(76) (a) Noted that the French Military Governor estimated that the number of refugees in the two categories referred to in Conclusion 71 (b) amounted to about 120,000.

(b) Agreed to add a sub-paragraph (d) to Conclusion 71 reading as follows:

"(d) Instructed the Manpower Advisers to make a study of existing emigration procedures, with a view to easing them."

(c) Confirmed the conclusions of the twelfth meeting, subject to the addition of this new sub-paragraph 71 (d).

4. The report will be presented for the consideration of the three Military Governors at their meeting on 21 March 1949.

[illegible]

[illegible], Major GSC

[illegible]

Principal Secretariat

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RESTRICTED

MEETING OF THE FRENCH, UNITED STATES AND UNITED KINGDOM MILITARY GOVERNORS

26 March 1949 TRIB/P(49)23

REPORT TO THE MILITARY GOVERNORS BY THE TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

1. The British Military Governor raised with the French and United States Military Governors the question of the distribution of German refugees in the three Western Zones. He suggested the immediate establishment of a tripartite working party to examine this question and report to the Military Governors before the proclamation of the Occupation Statute. The report was to be communicated to the appropriate German authorities with a recommendation that it be put into effect.

2. In their letters of the 15th December and 4th December respectively the French and United States Military Governors gave their agreement to this proposal.

3. Since that date the working party has held a number of meetings in Berlin and decided at its meeting on 26 March 1949 to submit to the Military Governors the attached report.

4. The report will be presented for the consideration of the three Military Governors at their meeting on 31 March 1949.

[illegible]

[illegible], Major GSC

[illegible]

Tripartite Secretariat

RESTRICTED

REPORT TO THE MILITARY GOVERNORS BY THE TRIPARTITE WORKING PARTY ON GERMAN REFUGEES

I. Summary of the Problem

1. Despite considerable losses in manpower during the war, Western Germany is heavily overpopulated. This overpopulation is due to the presence in Western Germany of large numbers of persons who were formerly domiciled in areas outside of the present German borders or who were formerly domiciled in what is now the Soviet Occupied Zone of Germany or in the German territories under Polish administration. These newcomers or refugees, who currently number some 8,100,000 in the three Western Zones or 17% of the total population of the area, are still entering Western Germany in large numbers. In the British and U.S. Zones a reported 45,000 new refugees are registered each month.* Furthermore, it is estimated that several hundred thousand ethnic Germans who are resident in Eastern European countries must be regarded as potential immigrants to Western Germany. In poor contrast to this is the figure of perhaps 60,000 German emigrants from the three zones for the entire year of 1948 in spite of a considerable desire on the part of a large segment of the population to emigrate from Germany.

2. The great majority of these newcomers are found in the British Zone with 4,288,700 refugees representing 18.2% of the total population of the zone and in the U.S. Zone with 3,589,700 refugees representing 20.3% of the zone's population. The French Zone having no common border with the Soviet Zone or with the Eastern European countries and having received far fewer persons under the organized movements of population instigated by the Potsdam Agreement is relatively in a more favourable position with only 188,500 refugees, or 3.6% of the population.+

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* The French member points out that this movement is somewhat offset by a move from West to East for which figures are not available.

\+ The French member points out that out of these 8,100,000 refugees some 7,000,000 arrived at least 2½ years ago; some as long as eight years ago; and about 40% four years ago. In his opinion these old-comers present no urgent problems.

3. By far the most pressing and urgent aspect of the population problem is to be found in the overcrowded housing conditions brought about by the necessity for providing living accommodations for millions of additional people in housing facilities which were 40% damaged or destroyed during the war. Furthermore, building of new houses fails to keep pace with the influx of new population. One aspect of this housing problem which is of a particularly urgent and critical nature is the presence in the U.S. and British Zones of approximately 400,000 refugees quartered in temporary, mass-type housing installations which must be regarded as absolutely unsuitable for human habitation.

4. The situation is further complicated by the mal-distribution of the population in general. Owing to the extensive damage to housing facilities in the urban areas, the great majority of the expellees and refugees upon their arrival were quartered in the rural areas with the result that labor potential represented by this group cannot be utilized fully in reconstructing the German economy. Another major aspect of the problem is in the great numbers of the refugees who have been unable to find employment. Available figures for the U.S. Zone suggest that unemployment is proportionately twice as high among the refugees as among the native population. Furthermore, those refugees who are employed have suffered a down-grading in their status and are largely employed in the more menial tasks.

5. Although the immediate problem of the assimilation of the refugees is primarily economic in nature, the cultural or political factors are also of the utmost importance. *) It is considered that a continuation of the situation in Eastern Germany will result in the following:

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*)

The French member points out that in his opinion the financial aspect of the refugee problem cannot be divorced from the other financial questions arising from the war such as reconstruction, occupation costs etc.

a. Overall reduction in living standards of the population in general, and of the refugee population in particular.

b. Increasing hostility to the refugees on the part of the native population whose standard of living is threatened by the presence of this minority.

c. The emergence of a permanently discontented element in the population (the refugees) which will become a political threat to the German society as a whole.

d. The hostile environment in which the refugees find themselves will accentuate their desire to return to their homes giving rise to irredentist or expanionist tendencies.

e. The spread of an already apparent tendency on the part of the refugee to turn to the extreme political right or left for a solution to their problems.

II. Statistics

1. An agreed, coordinated statistical summary of the refugee population problem in Western Germany is attached at Appendix "A". A more comprehensive paper on these statistics is available for the use of the Occupation Powers and the German Authorities.

2. Appendix "A" takes no account of evacuees who cannot be defined statistically, but the population census shows that at October, 1946 there were 800,000 persons excluding refugees, living in Western Germany in a different Zone than before the war and 1,450,000 living in a different land. Of these 200,000 were in the French Zone and 1,250,000 in the Bizonal Area. These evacuees formed 0.9% of the population in the British Zone, 2.2% of the population in the U.S. Zone and 3.6% in the French Zone. The movement was, however, to some extent self balancing. For instance, this movement meant a net increase of 0.7% to the U.S. Zone population, 0.4% to the French Zone and a loss of 0.7% in the British Zone.

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2 June 1949 TPCR/M(49)1

TRIPARTITE COMMITTEE ON REFUGEES

MINUTES

of the

First Meeting

held at OMGUS, Berlin, Germany, at 1430 hours,
2 June 1949.

Present:

Capt KLEIN, Chairman (French)
Mr. LOGAN-GRAY (British)
Mr. KELLY (U. S.)

Others present:

United States

Mr. LAWRENCE (Recorder)

British

Miss LACEY

French

Mr. VIEL

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2 June 1949 TPCR/M(49)1

1. CONSIDERATION OF THE DECISION OF THE THREE MILITARY GOVERNORS IN CONNECTION WITH THE CONTINUATION OF THE WORKING PARTY (TPCR/M(49)1)

After discussing the decision of the three Military Governors the Committee, observing that some point of contact between the three Occupation Powers on the subject of refugees undoubtedly will be desirable after the promulgation of the occupation statute, agreed:

a. To prepare a progress report on the Committee's activities for submission to the three Military Governors at the time the occupation statute comes into force;

b. To take note of the decision of the three Military Governors.

2. STATUS OF THE TRANSFER OF 300,000 REFUGEES TO THE FRENCH ZONE.

THE MEETING agreed:

a. To instruct the recorder to write to the appropriate German refugee authorities in the Bizonal Area and in the French Zone informing them of the Committee's interest in the transfer and requesting information concerning the status of:

(1) the progress of the actual physical movement of the initial 120,000 persons to the French Zone;

(2) the arrangements being made for the equalization of financial burden between the Laender in connection with this transfer;

(3) the plans for the movement of the balance of 180,000 persons.

b. To forward an information copy of the letter to the Secretary of the Bipartite Control Office.

3. DISCUSSION OF POSSIBLE REFUGEE EMIGRATION PROJECTS.

The British member stated that he would obtain additional information regarding the acceptance of refugees into South Africa, Australia and Canada. He also suggested that the present agreement between France and the British Zone of Occupation for recruiting 25,000 German nationals and displaced persons on a one for one basis for resettlement in France might be revised in view of the relatively few displaced persons available for this move. Furthermore, he suggested that the agreement might be extended to include the U. S. Zone.

The Committee noted that at the fourth meeting of the Working Party it had been agreed (paragraph 25c. TWPR/M(49)4) to request the Office of the U. S. Political Adviser to endeavour to obtain through the U. S. Government the conditions for acceptance of German

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immigrants into the Latin-American countries.

THE MEETING agreed:

a. To take note of the statements by the British member and to request the French member to ascertain his government's position regarding the points made by the British member;

b. To approach the Office of the U. S. Political Adviser once again regarding the conditions for the acceptance of German immigrants into Latin-American countries.

4. OTHER BUSINESS.

a. The U. S. member called the attention of the meeting to the statement of the French member at the fourth meeting of the Tripartite Working Party (paragraph 25 TTPR/P(49)4) that he would endeavor to obtain statistics concerning the number of Germans who emigrated from the French Zone in 1948 by country of destination and stated that he hoped this information would be forthcoming in the near future;

b. The British member called the attention of the Committee to the poor English translation of the German text of sub-paragraph 2 of Article 1 of Section A of the Electoral Law which had been adopted by the Parliament Council on 10 May 1949. The British member stated that according to this translation the majority of the refugees and expellees would be deprived of their franchise.

THE MEETING agreed to take note of the statements of the British and U. S. members.

5. DATE OF THE NEXT MEETING

The second meeting by the Tripartite Committee on German Refugees will be held at OMGUS on 9 June 1949.

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9 June 1949 TPCR/M(49)2

1. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE FIRST MEETING OF THE TRIPARTITE COMMITTEE ON GERMAN REFUGEES (TPCR/M(49)1).

THE MEETING agreed:

To confirm and sign the minutes of the previous meeting.

2. STATUS OF THE TRANSFER OF 300,000 REFUGEES TO THE FRENCH ZONE.

The French member discussed the progress that has been made in connection with the negotiations concerning the transfer, and offered to make available to the committee the official reports of the meetings that have been held by the German representatives to date.

THE MEETING agreed:

To take note of the statements of the French member and to incorporate the reports of the meetings held by the Germans into the records of the Tripartite Committee on German Refugees.

3. DISCUSSION OF POSSIBLE REFUGEE EMIGRATION PROJECTS.

After discussing with the representative of the U.S. Political Advisor the question of obtaining the conditions of acceptance of German immigrants into the Latin American Countries.

THE MEETING agreed:

That it would be desirable to ascertain the attitudes of the governments of the Latin American countries with regard to the following questions:

1. Is there any objection to German immigration as such ?
2. Is there any preference as between Reichsdeutsche (Germans born within the 1937 boundaries of Germany) or Volksdeutsche (ethnic Germans such as Sudetens or expellees from formerly German-populated areas of Poland, Hungary etc.) ?
3. Is there any objection to accepting family groups, or unattached females (of whom there is a great surplus) as opposed to single or unaccompanied males ?
4. What occupational skills are desired, with particular reference to ratio between agricultural and industrial workers ?
5. What financial or transport facilities might be offered (or needed) to encourage immigration ?
6. Aside from the foregoing, what are the specific qualifying conditions for entry into a given country ?

9 June 1949 TPCR/M(49)2

The question of revising the existing agreement between the French Government and the British Zone for the recruitment of DPs and Germans for emigration to France was discussed. The British member pointed out that as this agreement had been negotiated on the British side by the Manpower Advisor, he would bring the question of its revision to the attention of the British Manpower Advisor.

The US member stated that he would refer the suggestion that German emigration be partially subsidized by dollar funds to the U.S. Finance Advisor. This subsidy would be based upon the U.S. dollar expenditures per capita of the German population for the duration of the Marshall-Plan.

THE MEETING agreed to take note of the statement of the British and US members.

4. OTHER BUSINESS.

THE MEETING agreed:

That an informal meeting of the Tripartite Committee would be held in Baden-Baden on 17 or 18 June 1949.

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9 June 1949 TPCR/M(49)2

TRIPARTITE COMMITTEE ON REFUGEES

MINUTES

of the

Second Meeting
of the Committee
Established by the Three Military Governors to consider
the REFUGEE PROBLEM in the Three Western Zones of Germany
which was held at OMGUS, Berlin at 1000 hrs., Thursday 9 June 1949

Present:

Dr. NEILLON, Chairman (French)
Mr. LOGAN-GRAY (British)
Mr. KELLY (U. S.)

Others present:

United States

Mr. BENTON
Mr. LAWRENCE (Recorder)

French

Capt. KLEIN
Mr. VIEL

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26 June 1949 TFCR/M(49)3

TRIPARTITE COMMITTEE ON REFUGEES

MINUTES

of the

Third Meeting
of the Committee
established by the Three Military Governors
to consider the REFUGEE PROBLEM in the three
Western Zones of Germany which was held at
OMGUS, Berlin, at 1600 hrs., Thursday, 23 June 1949

Present:

Mr. KLEIN Chairman, (French)
Mr. LOGAN-GRAY (British)
Mr. KELLY (U.S.)

Others present:

United States

Mr. LAWRENCE

French

Mr. VIEL

British

Miss D.M.LACEY

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28 June 1949 TFCR/M(49)3

1. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE SECOND MEETING OF THE TRIPARTITE COMMITTEE ON GERMAN REFUGEES (TFCR/M(49)2)

THE MEETING agreed:

To confirm and sign the minutes of the previous meeting.

2. POINTS ARISING FROM PREVIOUS MINUTES

Transfer of Refugees to the French Zone

The British Member circulated copies of a telegram from Frankfurt which gave a report of the meeting on the 10th June between Dr. Schreiber and the representatives of the French Zone Laender. This meeting has not been an unqualified success as only one Land, Wuerttemberg-Hohenzollern, was willing to accept their share of the first quota of refugees without a prior financial settlement. Both Baden and Rhine-Land-Pfalz still demanded a prior settlement.

The French Member said that General Noiret had received representatives of the French Zone Laender on the 16th June and told them that they must take the refugees and that the monetary question would be settled later. Two of the Laender had replied that they could not receive the refugees because of financial difficulties.

The U.S.Member stated that it was his intention to meet Dr. Schreiber on the 24th June to discuss this and other matters. It had been understood that the actual means of financing the transfer of the refugees had been agreed between the despatching and receiving Laender, therefore, the German Authorities should make the necessary arrangements and settle these difficulties; and, to date, no reply had been received from Dr. Schreiber or from Dr. Schaefer to the letter from the Tripartite Committee dated 7th June.

3. DEFINITION OF THE TERM "DISPLACED PERSON" AND "ADMISSION OF REFUGEES" UNDER THE OCCUPATION STATUTE.

The U.S.Member informed the meeting that there had been discussions in Paris between French, British and U.S. representatives on this subject. They had referred the matter to Berlin for the opinion of Military Government. An agreed U.S. and British telegram had been despatched to Paris giving definitions. The French member expressed himself in entire agreement with the terms of the telegram.

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4. ADMISSION OF REFUGEES (TPCR/P(49)2)

The meeting considered TPCR/P(49)2 which had been tabled by the British Member.

The British Member stated that one of the laws now being considered by the Tripartite Sub-Committee on the Harmonisation of Legislation was on the subject of Frontier Control. He considered that it would be helpful if the Tripartite Committee on German Refugees could reach some measure of agreement on the formula to be adopted for the admission of various categories of refugees. Under the German Federal Government, the control of frontiers would pass to the German Frontier Control Service. It was for decision what would be the difference of control at international frontiers and interzonal boundaries. Both the British and American Zones had an interzonal boundary with the Soviet Zone.

The British Member stated that he thought the "Brunswick" Agreement might form the basis of the policy to be adopted. Although any initiation or enactment of legislation should more properly come from the German Federal Government, such legislation should conform with the principles agreed between the Occupying Authorities.

The U.S.Member agreed with this and suggested that a paper should be prepared for the Military Governors after consideration of this problem which would set out our policy and form the basis for comparison with any proposed German legislation.

The British Member said that TPCR/P(49)2 had been approved by the interested British Departments. He suggested that this paper should be examined by the other two Elements, and when their views had been obtained, a joint paper should be prepared.

The U.S. Member raised the point that although the distribution of refugees is a German responsibility, this aspect would have a definite bearing on our policy.

The British Member stated that in Austria, border control camps had been established. This was one means of channelling and scrutinising refugees. The idea of "holding" camps in the various Laender should be given consideration in a study of the problem.

5. OTHER BUSINESS

(a) Wilhelmshaven Report

The British Member handed to the U.S.Member for his information and for that of the Congressional Committee, a copy of a report of a refugee enterprise for the formation of a textile "settlement" at Wilhelmshaven. This was sponsored by CRALOG and had been well received by the ECA representatives in Germany.

(b) Proposal from Mr. Wint that Sir Arthur Salter should meet the Congressional Committee

The British Member quoted from a letter he had received from Mr. Wint, a former member of the staff of the Educational Adviser, suggesting that Sir Arthur Salter, M.P. for Oxford University and an expert on refugee matters, should meet the Congressional Committee during his forthcoming visit to Washington.

26 July 1949 TPCR/M(49)4

TRIPARTITE COMMITTEE ON REFUGEES

MINUTES

of the

Fourth Meeting

of the Committee established by the Three Military Governors to consider the REFUGEE PROBLEM in the three Western Zones of Germany which was held at OMGUS, Berlin, at 1000 hrs on 20 July 1949

Present:

MR. KELLY (Chairman) U.S.
MR. LOGAN-GRAY, U.K.
DR. MEILLON, France

Others present:

United States

Mr. Weisz
Mr. Lawrence (Recorder)

France

Mr. Klein
Mr. Viel

United Kingdom

Miss Lacey

26 July 1949 TPCR/M(49)4

1. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE THIRD MEETING OF THE TRIPARTITE COMMITTEE ON REFUGEES (TPCR/M(49)3)

THE MEETING

(1) agreed: to confirm and sign the minutes of the third meeting of the Tripartite Committee on Refugees.

2. ADMISSION OF REFUGEES (TPCR/P(49)2

The British Member submitted an additional draft paper (Appendix A to TPCR/P(49)2) an interpretation of the points outlined in TPCR/P(49)2.

THE MEETING

(2) agreed: a. to take note of the British Element's interpreting paper;

b. to discuss this question further at a later meeting of the Committee.

3. TRANSFER OF 300,000 REFUGEES FROM THE BIZONAL AREA TO THE FRENCH ZONE - FINANCIAL SITUATION IN FRENCH ZONE LAENDER

The Recorder submitted a letter (TPCR/P(49)6) that had been received from the German Refugee Commissioner in Wuerttemberg-Hohenzollern as spokesman for the German Authorities in that Land. After discussing the economic situation in the French Zone including the comment from the French Member to the effect that Rheinland-Pfalz found itself unable even to pay its occupation costs let alone support an influx of refugees

THE MEETING

(3) agreed: a. to take note of the comments of the French Member and of the letter received from the Refugee Commissioner in Wuerttemberg-Hohenzollern.

b. to approach the German Authorities in the Bizone concerned with the financial arrangements for the transfer of 300,000 persons to the French Zone in order to expedite this movement.

4. REPLY FROM U.S. ECONOMICS ADVISER REGARDING THE POSSIBILITY OF THE USE OF MARSHALL-PLAN FUNDS IN FACILITATING IMMIGRATION OF REFUGEES

THE MEETING

(4) agreed: to take note of the reply of the U.S. Economics Adviser regarding the possibility of the use of Marshall-Plan funds in facilitating immigration of refugees.

5. OTHER BUSINESS

The date of the next meeting of the Tripartite Committee on Refugees is to be held at Bad Nauheim, Germany, on 29 July 1949 at 1000 hrs.

4 August 1949 TPCR/M(49)5

TRIPARTITE COMMITTEE ON REFUGEES

MINUTES

of the

Fifth Meeting

which was held at Bad Nauheim
at 1000 hrs on 29 July 1949

Present:

Mr. Kelly (Chairman) U.S.
Mr. Logan-Gray, U.K.
Dr. Meillon, France

Others present:

United States

Mr. Weisz
Mr. Lawrence, Recorder

United Kingdom

Miss Lacey

France

Mr. Klein

4 August 1949 TPCR/M(49)5

1. CONFIRMATION AND SIGNATURE OF THE MINUTES OF THE FOURTH MEETING OF THE TRIPARTITE COMMITTEE ON REFUGEES (TPCR/M(49)4

THE MEETING

(1) agreed: a. to delete the words in paragraph 3 "in the French Zone" and to substitute there fore the words "in that Land";

b. in decision (3)a to delete the words "French Zone" and to substitute there fore the words "Wuerttemberg-Hohenzollern";

c. to confirm and sign the minutes as amended.

2. ADMISSION OF REFUGEES (TPCR/P(49)2

The meeting discussed TPCR/P(49)2 and Annex A to this paper which was submitted by the British Member. The U.S. Member was of the opinion that the committee should not take a definite stand regarding this matter at the present time. The clause "admission of refugees" in the Occupation Statute, he believed, was placed there to enable the occupation authorities to take action in the event that certain groups of refugees were denied entry by the German authorities or in the event the German authorities granted entry to groups of refugees considered to be undesirable. He was opposed to taking any stand which might have the effect of an invitation to potential refugees. Further, it was his opinion that the actual regulation for control of the border should originate from the German authorities at which time it would be examined by the occupation authorities.

The British Member believed that the committee should take some position regarding this matter in order to establish a uniform regulation regarding the admission of refugees for Western Germany. He proposed to recommend to the British Military Governor the submission of a paper outlining the British position to the meeting of the three Military Governors.

THE MEETING

(2) agreed: to take note of the statements of the U.S. and British Members.

3. TRANSFER OF 300,000 REFUGEES FROM THE BIZONAL AREA TO THE FRENCH ZONE

The French Member stated that Land Baden was now in a position to accept 5,000 of the refugees to be transferred from the Bizonal Area. Further, he pointed out that Land Wuerttemberg-Hohenzollern is in the process of drawing up the financial and economic conditions under which that Land will be in a position to accept increased numbers of refugees. The French Member also stated that he would endeavour to influence Land Rheinland-Pfalz to commence accepting its share of the refugees to be transferred.

The U.S. and British Members stated that the financial committee of the Bizonal Economic Council was still discussing the financial arrangements whereby 200.-- Deutsche Mark per refugee to be transferred would be placed at the disposal of the Laender in the French Zone. The possibility of including the French Zone Laender into the equalization of financial burdens between the Laender was also being considered.

THE MEETING

(3) agreed: to take note of the foregoing statements and to endeavour individually to facilitate the arrangements for this transfer.

4. REPLY FROM U.S. ECONOMICS ADVISER REGARDING THE POSSIBILITY OF THE USE OF MARSHALL-PLAN FUNDS IN FACILITATING EMIGRATION OF REFUGEES (TPCR/P(49)5)

The British Member submitted a paper he had received from the British Financial Adviser regarding the possibility of the use of Marshall-Plan funds in facilitating emigration of refugees (TPCR/P(49)9).

THE MEETING

(4) agreed: a. to take note of this paper;

b. to request Mr. Weisz of the U.S. delegation to prepare a study on refugee emigration potentialities which would utilize information from the Bremen Emigration Center together with such information as might be available from other sources.

5. DISCUSSION OF THE REPORT TO BE SUBMITTED BY THE TRIPARTITE COMMITTEE ON REFUGEES TO THE THREE MILITARY GOVERNORS

The committee discussed the format of the report to be submitted to the three Military Governors.

THE MEETING

(5) agreed: a. that each member should prepare a draft outline of the report for submission at an early date;

b. that the statistics on refugees in the Western Zones should be brought up to date.

6. OTHER BUSINESS

The meeting agreed that the next meeting should take place during the month of August at a date and place to be specified by the recorder.

TEL. No. 86-5173
REFERENCE:

DISPLACED PERSONS BRANCH
POLITICAL DIVISION
82 HQ CCG (BE)
BAOR 2

12th August 1949

The Secretary,
Combined Travel Board,
65 HQ. CCG (BE),
Herford,
BAOR. 15.

Subject: Tripartite Committee on German Refugees

In reply to your letter of the 11th August, ref: CTB/205, you have now been included on the regular distribution list for the papers and minutes of the above Committee.

Enclosed you will find a complete set of papers of the Tripartite Working Party on German Refugees which finished its study of the refugee problem with the Report to the three Military Governors (TRIB/P(49)23) a copy of which is also herewith together with the extract from the Conclusions of the two meetings of the Military Governors at which it was considered.

After this, the Tripartite Committee on German Refugees was established as a permanent committee under the Tripartite Board, copies of papers and minutes issued to date are attached.

for Director
D.P. Branch
British Member
Tripartite Committee on German Refugees

Political Division,
82, HQ., CCG(BE).,
BAOR.2.

FO.1/193/146/49

13th August 1949

To: Office of the Manpower Adviser, Berlin
Office of the Public Health Adviser, Bad Rothenfelde
Office of the Educational Adviser, Bad Rothenfelde
Office of the Religious Affairs Adviser, Bunde

Subject: Tripartite Committee on Refugees

1. Enclosed for your information are copies of TPCR/P(49) 4 and 5 and TPCR/P(49) 4,5,6,7, 8 and 9.

2. We shall be glad to receive any comment you may wish to make on these documents.

for Director
Displaced Persons Branch

Copies to:

G.A. Deane Esq., Zonal Statistical Office, MINDEN.
J.R. White Esq., Public Opinion Research Office, BIELEFELD.
Manpower Division, Housing Branch, LEGO.
Combined Travel Board, 65 HQ. CCG (BE)., HERFORD., BAOR.15.
Miss R. Ostermann, Women's Affairs, German Political Branch, BERLIN.
General Secretariat, BERLIN.
Central Secretariat, LUBBECKE.

des Autorités Britanniques d'Occupation a toujours été et l'est encore de ne pas refuser le droit d'asile aux réfugiés politiques, et jusqu'à présent nous avons toujours poursuivi cette politique de la "porte ouverte": Toutefois, il y a maintenant 8.100.000 réfugiés dans les trois zones occidentales d'Allemagne sur lesquels 4.300.000 sont en Zone Britannique, et il est apparent que nous ne pouvons contineur d'admettre avec indifférence une entrée indiscriminée de réfugiés dans les zones occidentales, et il est pour cela essentiel que les accords sur le contrôle frontalier soient rendus aussi efficaces que possible et que certaines mesures de contrôle sur l'entrée des réfugiés soient instituées.

c)- Il a été décidé par les Autorités d'Occupation dans les trois Zones Occidentales que le Service de Contrôle Frontalier ressortirait à la responsabilité du nouveau Gouvernement Fédéral et viendrait sous son contrôle et administration directe. La question se pose maintenant s'il est nécessaire ou désirable d'élaborer une législation Tripartite du Gouvernement Militaire sur"l'admission de réfugiés" et il a été suggéré que la meilleure méthode de traiter cette affaire serait d'arriver à un agrément d'une politique alliée et de recommander cette politique au nouveau Gouvernement Fédéral avec la demande que les Autorités Allemandes devraient exécuter la législation nécessaire pour la réalisation de cette politique.

d)- A la demande des Autorités Britanniques d'Occupation, les Ministres-Présidents de la Zone Britannique ont soumis en Janvier 1949 un plan coordonné contenant des propositions concrètes au sujet de l'admission et du traitement de réfugiés. Ces propositions étaient considérées comme bien étudiées et généralement satisfaisantes, mais comprenant une certaine législation décrétée par le Gouvernement Militaire, ou vice versa, l'extension de la compétence législative des Autorités Allemandes des Laender de la Zone Britannique. Il a été trouvé impossible de prendre une décision à ce sujet tant que le texte définitif du Statut d'Occupation resterait pendant. Le Statut d'Occupation ayant été promulgué maintenant et il réserve sous Section 2 (d) les pouvoirs sur "l'admission de réfugiés" aux Autorités d'Occupation, mais il serait tout à fait indésirable d'édicter unilatéralement en Zone Britannique une législation qui pourrait se trouver en conflit avec les points de vue des Autorités d'Occupation Américaines et Françaises.

Ci-joint copie d'un projet de plan agréé par les quatre Ministres-Présidents de la Zone Britannique. Ce plan ne se réfère pas seulement à l'admission réelle des réfugiés, mais à leur traitement après l'arrivée, mais il est aussi dans son passé de cette question que le Comité Tripartite des Réfugiés s'y trouve particulièrement intéressé.

"L'Agrément de Brunswick" dont copie ci-jointe, était l'agrément inofficiel conclu le 6 Février 1948 par les Ministres pour les Réfugiés des quatre Laender de la Zone

.../...

Britannique. Il n'est en aucun sens obligatoire pour les Autorités Britanniques, mais donne une formule utile aux Autorités Allemandes dans leur procédé quotidien des admissions de réfugiés.

e)- Il est dans l'opinion de l'Elément Britannique qu'il est pratiquement et physiquement impossible de sceller la frontière interzonale entre les Zones Soviétique et Britannique. Tout ce qui peut être accompli dans cette voie est d'instituer quelques mesures effectives de contrôle permettant de filtrer ou retarder le flot des réfugiés indésirables vers la Zone Britannique. C'est pourquoi la question se pose au sujet du caractère précis des intentions des Autorités d'Occupation en ce qui concerne l'admission de réfugiés. Les réfugiés qui arrivent maintenant en Zone Britannique d'Allemagne tombent sous l'une ou l'autre des catégories suivantes:

i)- Réfugiés de nationalité non-allemande.

De tels réfugiés arrivent des pays d'Europe Orientale tels que des Etats Baltes, de Tchécoslovaquie, de Pologne, de Hongrie et dans certains cas, de Yougoslavie. Il est estimé qu'au moins 95% de cette catégorie ont fui par suite de persécutions et peuvent être considérés comme réfugiés politiques spéciaux.

ii)- Réfugiés de nationalité allemande venant de Pologne, de Nouvelle Pologne, de Prusse Orientale etc..., c'est-à-dire de l'Est de la Ligne Oder-Neisse.

Des renseignements confirmés en notre possession établissent que les conditions de vie dans ces pays et le degré de persécution dont y sont l'objet les Allemands dans ces territoires font qu'ils sont en train de périr entre les mains des présents Gouvernements de ces pays.

iii)- Réfugiés de nationalité allemande venant de la zone Soviétique actuelle d'Allemagne.

Pour la plupart, ce sont des personnes mécontentes de leurs conditions de vie et d'économie en cette zone.

f)- Il est de l'opinion de l'Elément Britannique qu'il serait un abandon de la politique traditionnelle du Gouvernement de Sa Majesté de refuser le droit d'entrée aux réfugiés des catégories (i) et (ii) ci-dessus mentionnées. Quant à la troisième catégorie, il est considéré que beaucoup de ces réfugiés ne sont pas suffisamment bien informés sur les conditions de vie dans les Zones Occidentales et ne réalisent pas qu'ils augmentent uniquement les dures charges éprouvées par le grand nombre de réfugiés déjà en Allemagne Occidentale.

.../...

En outre, il est à considérer que tout Allemand en Zone Soviétique d'Allemagne, dont la vie ou la liberté individuelle n'est pas d'une façon déterminée en danger et qui a gîte et couvert suffisants, devrait rester là où il se trouve à présent. Toute législation à cet effet au sujet de l'admission de réfugiés et la prévention d'entrée non-discriminée serait dirigée dans l'opinion de l'Elément Britannique contre cette troisième catégorie.

Ayant égard aux conditions anormales de vie en Europe Orientale à présent, il serait très difficile de coucher des conditions précises qualifiées concernant les réfugiés qui désirent entrer en Zone Occidentale, et il est à considérer que la mise en vigueur de la législation à ce sujet devrait être une des premières tâches du nouveau Gouvernement Fédéral. S'il était possible à cet effet d'arriver à un agrément entre les Autorités d'Occupation sur la politique qui devrait gouverner l'admission de réfugiés, il n'est pas certain que les Autorités Allemandes ne trouvent quelque difficulté pour mettre en vigueur la législation nécessaire devant assurer le contrôle frontalier efficace dans les limites de cette politique agréée.

3.- RECOMMANDATIONS.

a)- Le Comité Tripartite des Réfugiés devrait examiner ce papier avec ses différentes annexes comme base de discussion.

b)- Le Comité Tripartite des Réfugiés devrait s'efforcer de trouver un agrément de principe pour la politique à adopter par les Autorités d'Occupation au sujet de l'admission de réfugiés.

c)- Le Comité Tripartite des Réfugiés, après être arrivé à un agrément, devrait communiquer ses recommandations à ses propres Autorités pour que les pas nécessaires pour la réalisation de cette politique puissent sans délai être entrepris.

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C O N F I D E N T I E L

de: Major-Général W.H.A. BISHOP, CB. OBE

COPIE/AEL

Regional Commissioner's Office,
HQ Land North Rhine/Westphalia,
714 HQ. CCG (BE),
DUSSELDORF, BAOR. 4.

NRW/RC/3001

22 Décembre 1948

Monsieur le Ministre Président,

Voulez-vous avoir la bonté, en vous référant à la lettre du Ministre des Affaires Sociales, du Ministre de l'Intérieur, du Ministre du Travail et du Ministre de la Reconstruction du 6 Décembre N° IC/24 A 07 I-Dr.G.Bö au sujet de la disposition sur l'arrivée illégale de réfugiés dans le Land Rhénanie du Nord "Westphalie".

Comme je comprends la position, le problème de réfugiés autres que ceux tombant sous le coup de "l'Agrément de Brunswick", se décompose dans deux catégories bien distinctes:

a)- Personnes du type raisonnable et que l'Administration du Land n'entend pas répudier même si elles sont complètement en dehors du cadre de "l'Agrément de Brunswick", et

b)- Personnes de nationalité allemande ou d'autres nationalités européennes qui pénètrent illégalement dans la région et qui d'une façon définitive sont des éléments antisociaux n'ayant aucune intention de jouer un rôle utile dans la communauté.

En ce qui concerne la catégorie (a) je suggère qu'il serait désirable pour les Länder de la Zone Britannique de coopérer à l'élaboration d'un mécanisme commun pour s'occuper de ces gens. Je me suis renseigné auprès du Quartier Général des Troupes d'Occupation Britanniques, et on m'a fait comprendre qu'il serait probablement possible pour les Troupes d'Occupation de rendre disponible aux environs du mois de mars de l'année prochaine, un grand camp ou des camps dans le Land Basse - Saxe où on pourrait loger approximativement 30.000 personnes. Je suggère que le Gouvernement de ce Land prenne l'initiative avec les Gouvernements des autres Lander de la Zone Britannique d'établir les plans nécessaires pour pouvoir donner l'assurance qu'aussitôt que le camp serait libéré, il pourrait être utilisé comme camp de passage jusqu'au moment où les gens en question pourraient être absorbés dans la structure sociale et économique allemande. Il devrait être possible et il serait certainement désirable de faire des prévisions pour l'éducation ou la rééducation, dans le camp, d'individus pour les professions disposant d'emplois vacants. Il

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est clair que ces arrangements et les arrangements financiers nécessaires ne peuvent être exécutés d'une façon satisfaisante qu'en élaborant un plan qui serait agréé et coordonné par les Länder de la Zone Britannique.

J'arrive maintenant au problème le plus difficile des réfugiés anti-sociaux, indiqués au paragraphe (b) ci-dessus. Je note dans la lettre de vos Ministres qu'à leur point de vue ces personnes devraient être refoulées dans la zone Soviétique d'Allemagne.

Pourvu qu'un dépistage des plus soigneux de ces personnes ait eu lieu auparavant et que finalement elles soient jugées "criminelles" ou "anti-sicales", je pense que c'est probablement la meilleure façon d'agir. Je suppose qu'une ordonnance du Gouvernement Militaire nous conférant les pouvoirs légaux nécessaires sera probablement promulgué dans un avenir très prochain.

J'ai discuté récemment les propositions ci-dessus avec le Gouverneur Militaire Britannique qui a exprimé, dans des termes généraux, sa sympathie à leur égard. Le Général Sir BRIAN ROBERTSON désire néanmoins avoir l'opportunité à sa prochaine réunion avec les Ministres Présidents de la Zone Britannique de discuter ce problème, lequel est naturellement un problème allemand et d'attendre les plans des Ministres-Présidents pour sa solution. Je suggère pour cela, mon cher Ministre-Président, que lors de votre prochaine rencontre avec le Gouverneur Militaire Britannique vous lui fournissiez un mémorandum exposant vos vues sur la façon de traiter ce problème et spécifiant l'assistance que vous auriez aimé recevoir du Gouvernement Militaire en vue de sa solution. Je sens que vous agréerez certainement avec moi qu'il est d'une grande importance si un progrès peut être réalisé pour la mise sur pied de ce plan dans des termes très clairs et exacts.

Je note dans la lettre de vos Ministres du 6 Décembre qui soulève la question de la délivrance du certificat de démobilisation de la Wehrmacht D2 par les Autorités Militaires Britanniques et qui font la suggestion qu'un Office Allemand de Précaution soit établi à côté de cette Autorité de Démobilisation de la Wehrmacht dans le but de pointer les personnes réclamant un certificat de démobilisation de la Wehrmacht. La nécessité d'un tel arrangement a déjà retenu mon attention et j'ai déjà repris la question avec le Quartier Général des Troupes d'Occupation Britanniques. J'espère être très prochainement dans la position de pouvoir vous envoyer une réponse favorable à cette question.

J'envoie également une copie de cette lettre au Ministre des Affaires Sociales, au Ministre de l'Intérieur, au Ministre du Travail et au Ministre de la Reconstruction.

.../...

C O N F I D E N T I E L

Je prends cette opportunité pour vous assurer de ma haute considération.

Votre très sincèrement vôtre

(Signé) W.H.A. BISHOP

Herr Karl ARNOLD
Minister Président,
Land North Rhine/Westphalia, Dusseldorf

COPIES to: The Minister of Social Affairs, Land North Rhine/
The Minister of the Interior, -D°- Westphalia.
The Minister of Labour, Land North Rhine/Westphalia
The Minister of Reconstruction, Land North Rhine/West.
Régional Governmental Officer.
Régional Economic Officer RB Commander, Cologne
Régional Administrative Officer " Detmold
Régional Intelligence Officer " Münster
Chief Mapower Officer " Arnsberg
Senior ISD Officer " Aachen
RB " Düsseldorf

C O N F I D E N T I E L

C O N F I D E N T I E L

LE MINISTRE DES AFFAIRES SOCIALES
LAND RHENANIE DU NORD/WESTPHALIE
Abt. IC 24 A 07 I 20,10. Ib - Dr. G/BÖ

COPIE/AEL

Düsseldorf , 29 Janvier 1949

LE MINISTRE DE L'INTERIEUR
LAND RHENANIE DU NORD/WESTPHALIE

LE MINISTRE DE LA RECONSTRUCTION
LAND RHENANIE DU NORD/WESTPHALIE

SUJET: Admission de réfugiés illégaux.

Due à une invasion croissante de réfugiés illégaux venant de la Zone Russe d'Occupation une situation a été créée qui, à la longue, devient insupportable pour tous les Länder de la Zone Britannique. Bien qu'on ne dispose de chiffres définis sur le nombre de personnes franchissant la frontière chaque mois pour être admises dans les Länder de la Zone Britannique, on peut dire, d'après les expériences passées que ce chiffre se monte à 20.000 personnes au moins par mois, dont 8.000 ont été admises en Rhénanie du Nord/Westphalie.

Une partie seulement de ces réfugiés illégaux sont qualifiés pour réclamer le droit d'asile ou d'assistance. Mais dans un grand nombre de cas ce sont des personnes qui, pour des raisons générales, pensent ne pouvoir vivre plus longtemps dans la Zone Soviétique d'Occupation (par exemple pour des raisons d'alimentation, commodité de logement, genre de travail etc...) et qui supposent de trouver dans la Zone Britannique de meilleures conditions de vie.

De plus il existe un nombre de réfugiés illégaux qui sont anti-sociaux, ne voulant pas travailler et même criminels, et qui croient pouvoir se cacher quelque part dans la Zone Britannique.

Considérant les arrière-raisons des réfugiés illégaux, il est démontré spécialement que beaucoup d'entre eux sont venus des régions se trouvant à l'est de la ligne Oder/Neisse, et étaient d'abord dirigés sur la Zone d'Occupation Soviétique, où ils n'ont pas voulu s'établir pour différentes raisons.

Le Gouvernement Militaire Britannique a donné des instructions au début de 1948 selon lesquelles des personnes qui franchissent la limite zonale de la Basse-Saxe seraient admises en Basse-Saxe, alors que les réfugiés illégaux franchissant la limite zonale de Schleswig-Holstein devaient être dirigés sur le pays de la Rhénanie du Nord/Westphalie.

Par suite du surpeuplement sérieux des Länder de la Zone Britannique l'admission et le logement de tous les réfugiés illégaux se trouvent devant des difficultés

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C O N F I D E N T I E L

presqu'insurmontables; pour cela les autorités des Länder de la Zone Britannique, chargées des questions de réfugiés sont tombées d'accord sur les catégories de personnes ayant le droit de demander l'admission et le logement, et de ce fait d'être reçues. Ces règles ont été couchées dans l'accord ainsi dénommé "Agrément de Brunswick".

Il est vrai que "l'Agrément de Brunswick" a prévu quels réfugiés illégaux seraient admis et logés dans les Länder. Mais un règlement de la question comment la grande proportion de réfugiés auxquels l'admission doit être refusée selon cet accord, doit être traitée, est toujours en suspens, faute de base légale. Dans la plupart des cas les personnes dont l'admission est refusée, refusent de retourner en Zone Soviétique. Le renvoi forcé par les Autorités allemandes a toutefois été impossible jusqu'ici par manque de sanction légale sus-mentionnée. Il en résulte qu'une grande proportion de ces personnes mettent de ce fait la sécurité publique de plus en plus en danger. Beaucoup de ces personnes qui, au fond, sont encore intactes au point de vue social, courent le risque de devenir anti-sociales ou criminelles de cette façon. Enfin, il ne faut pas manquer de remarquer que par cette voie des agents politiques peuvent entrer en Zone Britannique et essayer d'exploiter les difficultés existantes en devenant politiquement actifs pour atteindre leur but.

Si le problème des réfugiés illégaux ne doit pas devenir une menace constante et croissante pour la sécurité publique, et ultérieurement pour toutes les mesures de logement et d'absorption des réfugiés existants déjà dans les Länder, et ce, par conséquent des populations indigènes également, des mesures zonales uniformes concernant le traitement des réfugiés illégaux deviennent nécessaires. Mais dans ce but l'assistance du Gouvernement Militaire est absolument nécessaire, puisque les Autorités Allemandes seules ne disposent pas de pouvoirs légaux suffisants.

En vue d'établir une solution uniforme concernant le traitement des réfugiés illégaux dans la Zone Britannique, les mesures suivantes sont proposées:

I)- En renforçant la police le long des limites zonales, le contrôle frontalier deviendrait plus strict que jusqu'à présent dans le but de s'emparer d'autant de réfugiés illégaux que possible au moment même ou ils franchissent la limite.

II)- Des personnes surprises par la police lorsqu'elles franchissent la limite, devraient être conduites par le chemin le plus rapide sur un centre de dépistage situé à proximité de la limite zonale.

III)- Des autorités ou des institutions de charité où le rapport des réfugiés illégaux et leur demande d'admission seraient examinés, veilleront à ce que ces personnes soient enregistrées dans les centres de dépistage sans délai.

.../...

IV)- Le Centre de dépistage aurait les fonctions suivantes:

1)- Chaque réfugié illégal qui serait dirigé ou amené au Centre, doit être soigneusement examiné. L'examen doit comprendre la vérification de l'identité et de l'authenticité des papiers d'identé, en tenant compte de toutes les autres exigences et considérations de police ou sanitaires. Il faut aussi examiner jusqu'à quel point "l'Agrément de Brunswick" est applicable à ces réfugiés illégaux.

2)- Dans les cas où les termes de "l'Agrément de Brunswick" est applicable à ces réfugiés illégaux et que l'examen conforme aux principes mentionnés sous le Paragraphe 1 ci-dessus a montré qu'il n'y a pas d'objection à leur admission, ces personnes peuvent être dirigées sans délai sur les Länder qui doivent les recevoir.

3)- L'expérience a démontré que parmi les réfugiés illégaux se trouve un grand nombre de jeunes qui ont quitté la Zone Russe soit pour avoir été envoyés de force dans l'industrie minière d'uranium soit pour des raisons semblables, et finalement, mais pas moins, parce qu'étant devenus des êtres inajustables au cours des récentes années et en particulier durant la guerre. Dans cet ordre d'idées le terme "jeunes" devrait recevoir un sens plus étendu que celui sous la présente législation c'est-à-dire au-delà de l'âge de 2I ans, car de telles personnes ont besoin de soins particuliers au point de vue éducation et vocation, en tenant compte des conditions spéciales de la guerre et de l'après-guerre. Pour cela, ces jeunes doivent être, avec l'assistance des Landesjugendämter, pris en charge, intérrogés et placés par le Centre de Dépistage.

a)- Si, après avoir été examinés, ces jeunes tombent sous "l'Agrément de Brunswick", ils sont dirigés sur les Länder d'accueil et amenés à leurs parents qui s'y trouvent ou ils reçoivent un emploi ou encore ils sont dirigés sur des Kreise spéciaux d'accueil.

b)- Si "l'Agrément de Brunswick" n'est pas applicable à ces jeunes, la procédure suivante devra être adoptée:

aa) Pourvu que ces jeunes soient prêts/à se soumettre librement à un travail ou à un apprentissage professionnel ils sont transférés à des institutions de bienfaisance appropriées, qui au besoin doivent être créées en liaison avec le Centre de Dépistage.

.../...

bb) Si les jeunes ne sont pas prêts à accepter librement de telles mesures et si, selon le jugement d'employés de bienfaisance spécialement désignés, ces jeunes semblent bons pour une éducation ultérieure, ils sont, si nécessaire, transférés de force dans des institutions appropriées telles que celles mentionnées sous (aa).

cc) Dans les cas où des jeunes, selon le jugement des employés de bienfaisance pour les jeunes, sont déjà hautement criminels, il faut établir en collaboration avec l'Office de la Jeunesse de leur lieu d'origine, s'ils sont à renvoyer en Zone Soviétique.

4)- Les réfugiés illégaux adultes auxquels "l'Agrément de Brunswick" n'est pas applicable, sont à traiter comme suit:

a)- Pourvu que ces personnes semblent intactes au point de vue social, et pourvu aussi qu'elles refusent de retourner en Zone Russe, mais sont pretes à se soumettre à un examen, elles sont à admettre dans des établissements spéciaux, qui au besoin sont à établir en rapport avec le Centre de Dépistage, et il leur est donné du travail si elles sont capables de travailler. Si l'observation et l'examen démontrent que ces personnes sont éligibles pour une admission permanente, elles sont réparties dans les Länder selon les possibilités de travail et de logement, pour être absorbées par la population. Vu les conditions actuelles de logement, ces personnes doivent, si nécessaire, être logées dans des centres collectifs. Pour le présent, elles ne peuvent prétendre à être logées en privé.

b)- Les personnes refusant de se faire interroger comme indiqué sous (a) ci-dessus et incapables de présenter une documentation suffisante établissant leur identité ou qui, contrairement à une première impression, prouvent après interrogatoire qu'elles ne sont pas appropriées, sont reconduites en convois en Zone Soviétique.

c)- Des personnes anti-sociales ou criminelles sont renvoyées de force en convois en Zone Russe.

d)- Les mesures mentionnées sous (a) - (c) sont également à appliquer aux étrangers ayant perdu leur statut de DP et qui ne sont pas - ou seulement d'une façon limitée - éligibles pour les soins de l'I.R.O.

Un Comité de criblage doit décider chaque retransfert concernant les paragraphes (b) - (d) ci-dessus. En établissant ce Comité, des agences participant aux soins à donner aux réfugiés sont prises en considération.

5)- Pour l'application des mesures mentionnées sous I-IV, l'assistance du Gouvernement Militaire sera demandée comme suit:

1)- Il est nécessaire pour l'établissement du Centre de Dépistage suggéré et pour les autres établissements liés à celui-ci de prévoir des locaux convenables. Les locaux du camp de libération de l'Ex-Wehrmacht Munsterlager, sur l'évacuation duquel les Länder ont déjà compté, seraient par exemple convenables.

2)- Afin d'assurer l'enregistrement et l'examen de tous les réfugiés illégaux, une ordonnance devrait être promulguée avec l'autorisation du Gouvernement Militaire de tous les Länder intéressés, prévoyant que toutes ces personnes doivent se rendre au Centre de Dépistage et que l'admission et le logement de ces personnes, aussi bien dans les communes de la Zone Britannique que dans les établissements publics de bienfaisance, ne sont permis qu'à condition que les documents d'enregistrement de ce Centre de Dépistage soient produits. Les Länder devraient peut-être être autorisés de transférer de force au Centre de Dépistage toutes personnes violant ces prescriptions.

3)- Pour compléter les mesures suggérées sous IV.3. (a) (b) (bb) ci-dessus, une ordonnance ou autorisation est demandée pour les autorités allemandes rendant possible pour les jeunes gens ayant dépassé 21 ans, d'être obligatoirement soumis à un travail convenable et une éducation professionnelle, comme il a été suggéré, de la même façon que les mineurs le sont. La validité de cette autorisation pour le présent, serait limitée à un an.

4)- Afin d'empêcher que l'établissement des cartes d'identité prescriptes pour la Zone Britannique qualifie les détenteurs à se fixer, une autorisation est nécessaire pour interdire, contrairement à l'Ordonnance N° 53, qu'une carte d'identité semblable soit établie présentement pour des personnes comme celles mentionnées sous IV. 3 (b) (aa) et 3. (b) (bb) et IV. 4. (a) ci-dessus.

5)- Afin d'effectuer le retransfert des personnes

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mentionnées dans IV. 3 (b) (cc) et IV. 4. (b) - (d) ci-dessus, des mesures spéciales du Gouvernement Militaire sont nécessaires autorisant un retransfert de force devant avoir lieu sous la garde requise de la police.

Les autorisations sollicitées du Gouvernement Militaire au paragraphe V ci-dessus sont la base nécessaire pour rendre praticable le plan entier. S'il n'y avait pas possibilité de garantir ces autorisations ou quelques unes d'entre elles, les Länder ne verraient aucune voie, même pour un arrangement temporaire, du problème des réfugiés illégaux.

Pour l'instrumentation des mesures proposées ci-dessus, les Länder de la Zone Britannique sont d'accord pour ce qui suit:

1)- Le Centre de Dépistage proposé serait une institution commune des Länder de la Zone Britannique, y compris Hambourg.

2)- Le Centre de Dépistage devrait être une agence de transit et de distribution pour les personnes admises dans le camp. Elles seront réparties dans les Länder de la Zone Britannique conformément aux directives qui sont encore à fixer. Aucune charge additionnelle par une augmentation de population ne doit en résulter pour le Sleswig-Holstein coparée à la procédure existante. Hambourg doit être compris dans l'instrumentation de "l'Agrément de Brunswick".

3)- L'établissement du Centre de Dépistage et l'application des mesures ci-dessus proposées seront réglementées par une suspension de la législation du Gouvernement Militaire de Décembre 1947 sur la réception et la distribution de réfugiés illégaux dans les Länder de la Zone Britannique durant l'existence du Centre de Dépistage.

4)- Les dépenses totales résultant de l'établissement, du maintien, et de l'instrumentation des fonctions du Centre de Dépistage, seront supportées proportionnellement par tous les Länder de la Zone Britannique.

Aussi ce règlement ne constitue pas une solutions du problème des réfugiés illégaux. Au contraire, il continuera encore à aggraver les conditions de logement déjà impossibles dans la Zone Britannique depuis que, pour des raisons humanitaires, il englobe l'extension des catégories de personnes pouvant être éligibles selon "l'Agrément de Brunswick". C'est pourquoi une autre demande urgente est faite, consistant en un échange trizonal de réfugiés avec inclusion de la Zone Française et mettant en mesure l'industrie du bâtiement de la Zone Britannique de réaliser un grand plan de construction de nouvelles habitations, en lui accordant des crédits

.../...

effectifs provenant particulièrement du Programme Européen de Reconstruction. Cette demande est d'autant plus justifiée que le problème en question n'est pas seulement un problème allemand, mais aussi un probleme Européen.

Pour le Ministre des Affaires Sociales
du Land Rhénanie du Nord/Westphalie
Signé: Dr. WEBER
Ministerialdirektor.

Pour le Ministre de l'Intérieur
du Land Rhénanie du Nord/Westphalie
Signé: JENNER
Ministerialdirektor.

Pour le Ministre de la Reconstruction
du Land Rhénanie du Nord/Westphalie
Signé:HELL.

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C O N F I D E N T I E L

7 Juin 1949 TPCR/P(49)3

Dr. SCHREIBER
Amt fuer Fragen der Heimatvertriebenen
bei der Verwaltung des Vereinigten
Wirtschaftsgebietes
50, Feuerbachstrasse
Frankfurt a. M.

Ministerialrat Dr. SCHAEFER
Commissaire aux Réfugiés pour le Wurtemberg
Tuebingen (Zone Française d'Occupation)

Monsieur,

Le Groupe de Travail Tripartite sur les Réfugiés Allemands avait été établi en janvier de cette année comme suite à un échange de correspondance entre les Gouverneurs Militaires Français, Britannique et Américain dans le but d'examiner le problème de la redistribution des réfugiés en Allemagne Occidentale.

Le 17 Mai, les Gouverneurs Militaires Français, Britannique et Américain ont approuvé la continuation du Groupe de Travail Tripartite en tant que Comité permanent, soumis au Bureau Tripartite, chargé

1)- de traiter le problème des réfugiés en liaison avec les Autorités Allemandes,

2)- d'étudier les questions concernant les réfugiés, la pression démographique, l'émigration et des questions y afférentes.

3)- de représenter les trois Gouverneurs Militaires dans les négociations concernant les réfugiés avec les Autorités Allemandes.

Conformément à ce qui précède, le 2 Juin 1949 le Comité Tripartite sur les Réfugiés a décidé:

"de charger le Secrétaire d'écrire aux Autorités Allemandes "compétentes pour les questions de réfugiés de la Bizone et "de la Zone Française les informant de l'intérêt que le Comité "porte au transfert de réfugiés et demandant des renseigne-"ments au sujet de l'état.

1)- du progrès réalisé dans le mouvement physique de la tranche initiale de 120.000 personnes pour la Zone Française,

2)- des arrangements ayant été pris pour la péréquation financière des charges entre les Laender au sujet de ce transfert,

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7 Juin 1949 TPCR/P(49)3

3)- des plans pour le mouvement du restant des 180.000 personnes."

Il est prié de tenir le Comité au courant de tout futur développement se rapportant à ces questions.

Sincèrement

Votre
Signé: EDWARD W.LAWRENCE
Secrétaire
Comité Tripartite sur les
Réfugiés Allemands.

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C O N F I D E N T I E L

9 Juin 1949 TPCR/M(49)2

COMITE TRIPARTITE DES REFUGIES

PROCES-VERBAL

1.- CONFIRMATION ET SIGNATURE DU PROCES-VERBAL DE LA PREMIERE REUNION DU COMITE TRIPARTITE SUR LES REFUGIES ALLEMANDS - (TPCR/M(49)1).

LE COMITE

(1) décide:

de confirmer et de signer le Procès-Verbal de la réunion précédente.

2.- ETAT DU TRANSFERT DE 300.000 REFUGIES EN ZONE FRANCAISE D'OCCUPATION.

Le membre français donne connaissance du progrès réalisé dans les négociations concernant le transfert et se déclare prêt à mettre à la disposition du Comité les comptes-rendus officiels des réunions tenues par les représentants allemands jusqu'à ce jour.

LE COMITE

(2) décide:

de prendre acte des déclarations du membre français et d'incorporer les comptes-rendus de réunions tenues par les Allemands dans la documentation du Comité Tripartite sur les Réfugiés Allemands.

3.- DISCUSSION DES PROJETS D'EMIGRATION POSSIBLE POUR LES REFUGIES.

Après discussion, avec le représentant du Conseiller Politique Américain sur les conditions d'acceptation d'immigrants allemands des pays de l'Amérique Latine,

LE COMITE

(3) décide:

qu'il serait désirable de connaître l'attitude des

.../...

C O N F I D E N T I E L

C O N F I D E N T I E L

9 Juin 1949 TPCR/M(49)2

gouvernements des Pays de l'Amérique Latine sur les questions suivantes:

1)- Y-a-t-il une objection quelconque à l'immigration des Allemands ?

2)- Y-a-t-il une préférence entre les Reichsdeutche (Allemands nés à l'intérieur des frontières du Reich de 1937) et les Volksdeutsche (ressortissants éthniquement allemands, tels que les Sudètes ou les expulsés de Pologne, de Hongrie, etc...) ?

3)- Y-a-t-il une objection quelconque d'accepter des groupes familiaux et des femmes seules (lesquelles sont en excédent) par opposition aux célibataires masculins ou hommes non-accompagnés ?

4)- Quelles catégories professionnelles seront désirées avec référence particulièrement entre le pourcentage de travailleurs agricoles et industriels ?

5)- Quelles facilités financières ou de transport pourraient être offertes (ou nécessaires) pour encourager l'immigration ?

6)- En dehors de ce qui précède, quelles seraient les conditions de qualification pour entrer dans un pays donné ?

La question a été discutée de reconsidérer l'agrément existant entre le Gouvernement Français et la Zone Britannique concernant le recrutement de Personnes Déplacées et d'Allemands désirant émigrer en France. Le membre Britannique fait remarquer, vu que cet agrément a été négocié du côté Britannique par le Conseiller de la Main-d'Oeuvre, qu'il voudrait attirer l'attention de ce Conseiller sur la nécessité de reconsidérer cette question.

Le membre Américain déclare qu'il aurait l'intention de suggérer au Conseiller Financier Américain que l'émigration allemande soit partiellement subventionnée par des fonds dollars. Cette subvention pourrait être basée sur des dépenses dollars par tête de la population allemande pendant l'exécution du Plan MARSHALL.

LE COMITE

(3) décide:

de prendre acte des déclarations des membres Britannique et Américain.

4.- QUESTIONS DIVERSES.

LE COMITE

(4) décide qu'une réunion d'information du Comité Tripartite aura lieu à BADEN-BADEN les 17 et 18 Juin 1949.

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C O N F I D E N T I E L

11 Juin 1949 TPCR/P(49)2

COMITE TRIPARTITE SUR LES REFUGIES ALLEMANDS

ADMISSION DE REFUGIES

1.- LE PROBLEME.

Depuis quelque temps, l'arrivée continue de réfugiés d'Europe et de la Zone Soviétique dans la Zone Britannique d'Allemagne a causé certains soucis aux Autorités d'Occupation Britanniques et aux Autorités Allemandes de la Zone Britannique. La possibilité d'harmoniser la législation du Gouvernement Militaire sur le contrôle frontalier de personnes, dans laquelle est comprise la question sur l'admission de réfugiés, se trouve parmi les sujets à l'étude au Sous-Comité d'Harmonisation de Législation, mais jusqu'à présent n'a pas été formellement examinée. Cette question est à nouveau montée à la lumière du jour comme résultat de la promulgation de la version finale du Statut d'Occupation. Sous paragraphe 2 (d) du Statut d'Occupation, les Autorités d'Occupation se réservent spécifiquement le pouvoir de traiter les questions de personnes déplacées et l'admission de réfugiés, une clarification de la Section 2 (d) et une définition claire du caractère que les Autorités d'Occupation entendent exercer au sujet du contrôle de réfugiés.

2.- DISCUSSION.

a)- L'opinion de l'Elément Britannique est que l'intention première exprimée par cette réserve de traiter l'admission de réfugiés donne le pouvoir aux Autorités d'Occupation de contrôler tout futur mouvement de masse de réfugiés d'autres pays dans une quelconque des trois zones occidentales et de mener les négociations nécessaires avec les gouvernements des pays de résidence actuel de ces réfugiés. En même temps, il doit être présumé que la Section 2 (d) du Statut d'Occupation confère aux Autorités d'Occupation le droit de contrôler jour par jour l'admission individuelle de réfugiés, et si nécessaire d'élaborer la législation pour le contrôle de ces admissions.

b)- A présent, il n'y a pas de législation édictée par le Gouvernement Militaire de la Zone Britannique rendant illégal et punitiable l'entrée de réfugiés en Zone Britannique par le passage de la frontière interzonale entre les zones Soviétique et Britannique. Néanmoins, il existe une législation du Gouvernement Militaire donnant pouvoir aux Autorités d'Occupation Britanniques d'expulser tous réfugiés "indésirables" de la zone Britannique. La politique traditionnelle du Gouvernement de Sa Majesté et

.../...

C O N F I D E N T I E L

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AGREMENT DE BRUNSWICK DU 6 FEVRIER 1948

Parmi les personnes entrant en Zone Britannique en provenance de la Zone Russe, les catégories suivantes seront acceptées:

1)- Personnes entrant dans le but de regroupement familial.

Les familles néanmoins ne seront regroupées que dans les cas suivants:

a)- Epoux avec épouse (le domicile de celui qui subvient aux besoins de la famille étant décisif).

b)- Enfants mineurs séparés avec leurs parents.

c)- Parents requérant aide avec leurs enfants chargés de payer les aliments.

2)- Personnes persécutées en raison de leur attitude politique (membres des partis existants) pourvu que cette persécution puisse être prouvée. Le criblage à ce sujet doit être reconnu par le parti correspondant de la Zone Britannique.

3)- Personnes ayant été reconnues comme cas de détresse. Tels cas de détresse sont:

a)- Personnes entrant directement des territoires occupés et administrés par les Polonais ou des Territoires orientaux cédés à la Russie.

b)- Personnes pouvant prouver qu'elles ont abandonné leur résidence pour raison de sécurité personnelle.

4)- Personnes non accompagnées dont l'entrée est particulièrement désirée pour des considérations de travail suivant une décision donnée par la Bourse du Travail si cette dernière garantit le placement.

Traduction certifiée exacte.

Le Ministre Président du
Land Rhénanie du Nord/Westphalie

I2 Février 1949

de: Ministre Président ARNOLD
Land Rhénanie du Nord/Westphalie

O B J E T : Admission des réfugiés illégaux.

REFERENCE : Votre lettre N° NRW/RC/300I datée du 22 Décembre I948.

Mon Cher Général,

Sur la base de votre lettre N° NRW/RC/300I du 22 Décembre 1948, le Ministre des Affaires Sociales en liaison avec le Ministre de l'Intérieur et le Ministre de la Reconstruction a préparé une proposition qui se trouve jointe en annexe. Aussi le Ministre du Travail a, en principe, donné son agrément à cette proposition, mais a relevé les doutes suivants:

a)- Il a été douteux, dit-il, qu'il soit possible d'instrumenter et de financer les mesures raisonnables d'occupation proposées en vue de constater la convenance et la capacité du Munsterlager pour le travail des réfugiés illégaux.

b)- Il a été également douteux de prévoir s'il serait pratiquement possible d'assurer que les personnes intérrogées puissent être distribuées parmi les Länder et absorbées dans la population dans la mesure d'espaces disponibles et de facilités de logement. Ce qui était requis pour la réalisation de ce plan serait ensemble, espaces et une quantité correspondante de logements. A présent, rien de cette catégorie n'est disponible ni au Sleswig-Holstein ni en Basse-Saxe. Bien que l'économie Rhéno-Westphalienne exige pour la reconstruction de sa pleine productivité environ 200.000 travailleurs en pleine force, de groupes d'âges jeunes, les logements dans ce Land manqueraient aussi, particulièrement là où le travail serait requis de la façon la plus urgente. Spécialement les effets de la péréquation des charges, les difficultés dans le domaine des crédits et du financement, les embarras d'importation et d'exportation, ceux résultant du charbon, de l'énergie et des matières premières ainsi que l'ont prouvé les répercussions de démontage, sont des facteurs de destructions qui pourraient se manifester ultérieurement par des vides signalés aussi en Rhénanie du Nord/Westphalie. Il a insisté qu'il devrait être considéré en outre, pour les mesures d'approvisionnement en personnel de la région Rhéno/Westphalienne qu'il existait des plans et des obligations tels que le réétablissement des réfugiés légaux du Sleswig-Holstein, le recrutement d'apprentis mineurs de l'Allemagne du Sud et de Berlin, les mesures d'ajustement inter-régionales pour des chômeurs des districts

.../...

limitrophes, etc...

c)- Il était à anticiper que le Munsterlager serait très tôt occupé à sa capacité maximum et il était à craindre pour cela que, dû au manque temporaire d'espaces convenables et de logements des lacunes considérables apparaitraient dans la distribution des masses parmi les différents Länder.

Le 24 Janvier 1949 une Conférence a été tenue par l'Administration des Réfugiés de Land des Länder de la Zone Britannique. A cette conférence le Ministre pour les questions des Réfugiés de Basse-Saxe, le Ministre pour le Réétablissement et la Reconstruction du Land Sleswig-Holstein et le Sénateur du Département Social de Hambourg ont donné leur assentiment à la proposition incluse et ont promis qu'ils allaient informer les Ministres Présidents de leur Länder et le Premier Bourgmestre de Hambourg qu'ils allaient leur recommander de défendre cette proposition à leur prochaine entrevue avec le Général ROBERTSON. Puis-je vous demander que cette proposition reçoive également votre appui.

Vous assurant de ma haute considération, je reste très sincèrement vôtre.

Signé: ARNOLD.

A : Major Général W.H. BISHOP, CB. OBE.,
Dusseldorf

Traducteur:(Dr. DENCKER)

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CONFIDENTIEL

9 Juin 1949 TPCR/M(49)2

COMITE TRIPARTITE DES REFUGIES

PROCES-VERBAL

de la

2ème Réunion

du Comité établi par les trois Gouverneurs Militaires pour l'examen du problème des Réfugiés dans les trois Zones Occidentales d'Allemagne, tenue le Jeudi 9 Juin, à 10 Heures, à l'OMGUS, Berlin

PERSONNES PRESENTES:

(Fr.) Dr. MEILLON (Président)
(G.B) Mr. LOGAN-GRAY
(U.S) Mr. KELLY

ETAIENT AUSSI PRESENTS:

ETATS-UNIS

Mr. BENTON
Mr. LAWRENCE (Secrétaire)

FRANCE

Mr. KLEIN
Mr. VIEL

CONFIDENTIEL

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COMMANDEMENT EN CHEF
FRANÇAIS EN ALLEMAGNE

Office Tripartite
de la Circulation

Section Berlin

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Adresse Américaine :
CTB Branch Office Berlin
French Element
OMGUS — APO 742 — US Army

BERLIN-DAHLEM, le 26 juillet 1949
2, Corrensplatz

L'Attaché de 1ère cl. P.BELLET
Chef de l'Elément Français
Office Tripartite de la Circulation
Section BERLIN.

à

Monsieur le Chef de Bataillon LAVELLE
Chef de l'Elément Français
Office Tripartite de la Circulation
HERFORD.

B O R D E R E A U D' E N V O I

Nature des pièces	Nombre	Observations
Procès-verbal de la 2ème réunion du Comité Tripartite des Réfugiés - TPCR/M(49)2 - 9 juin 1949.	1	transmis pour information.

Br. and US Chiefs. + Exits
For your info.
My 9 Aug. 49

Le Chef de l'Elément Français
Office Tripartite de la Circulation - Section BERLIN -

COMBINED TRAVEL BOARD
BERLIN
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P. BELLET.

I.N. Berlin. — J. 466-49. — A.B. 146.

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Adresse Américaine :
CTB Branch Office Berlin
French Element
OMGUS — APO 742 — US Army

BERLIN-DAHLEM, le 12 Aout 1949.
2, Corrensplatz

L'Attache de 1-ere Classe P. BELLET
Chef de l'Office Tripartite
de la Circulation
Section Berlin

a

Monsieur le Chef de Bataillon LAVELLE
Representant Francais
a l'Office Tripartite
de la Circulation
H E R F O R D .

BORDEREAU D'ENVOI.

Documents	Nombre	Observations
COMITE TRIPARTITE DES REFUGIES TPCR/M(49) 3	1	pour information
COMITE TRIPARTITE SUR LES REFUGIES TPCR/M(49) 4	1	pour information

P. BELLET.

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Br and US Chiefs.
For your info
20 Aug.

CONFIDENTIAL

I.N. Berlin. — J. 466-49. — A.B. 146.

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20 September 1949

TPCR/M(49)6

TRIPARTITE COMMITTEE ON REFUGEES

MINUTES

of the

Sixth Meeting

which was held at Frankfurt
at 1000 hrs on 26 August 1949

Present:

Miss Lacey (Chairman) U.K.
Mr. Kelly U.S.
Dr. Meillon, France

Others present:

United States

Mr. Weisz
Mr. Lawrence, Recorder

20 September 1949 TPCR/M(49)6

1. SIGNATURE AND CONFIRMATION OF THE MINUTES OF THE FIFTH MEETING OF THE TRIPARTITE COMMITTEE ON REFUGEES (TPCR/M(49)5

THE MEETING

(1) agreed: to confirm and sign the minutes of the previous meeting.

2. SUMMARY OF THE CONCLUSIONS TAKEN AT THE CONFERENCE OF THE MINISTER PRESIDENTS ON 5 AUGUST 1949, TPCR/P(49)10.

a. Acceptance of 45,000 Germans from the Eastern Zone.

The French Member stated that, in his opinion, the figure of 45,000 dependents of Western Zone residents was too high and merely represented a round number which would not bear investigation.

The U.S. Member stated that a procedure had been established in the U.S. Zone whereby Military Government forwarded lists of dependents and children of bona fide U.S. Zone residents to Poland, Czechoslovakia and other eatern territories with the request that the persons listed be permitted to enter Germany.

THE MEETING

(2) agreed: to take note of these statements and to defer further discussions on this point until the next meeting.

b. Repatriation of about 300,000 Germans from the Territories East of the Oder-Neisse and from Czechoslovakia.

THE MEETING

(3) agreed: to take note of this point and the decision reached by the Minister Presidents.

c. Distribution of Border Crossers.

THE MEETING

(4) agreed: this matter would require further investigation and should be postponed until the next meeting.

d. Organizing of a Trizonal Committee for Refugee Questions.

The French Member outlined the proposal that had been made by Minister President Luedemann of Schleswig-Holstein (contained in TPCR/P(49)11)

THE MEETING

(5) agreed: to take note of the French Member's comments and to await further developments in regard to this matter.

5 August 1949 TPCR/P(49)10

TRIPARTITE COMMITTEE ON REFUGEES

Summary of the conclusions taken at the conference of the Minister Presidents on 5 August 1949

I. Acceptance of 45,000 Germans from the Eastern Zone

The Minister Presidents agreed that 45,000 Germans should be accepted from the territories east of the Oder-Neisse and from Czechoslovakia whose relatives live in the Western Zones of Occupation. It should be worked out, if possible, that the transports take place with collective permissions. These transports should be carried through by the Refugee Administrations.

II. Repatriation of about 300,000 Germans from the Territories East of the Oder-Neisse and from Czechoslovakia

As this question cannot be considered at the present time it is adjourned.

III. Distribution of Border Crossers

The agreement of the Refugee Administrations of Uelzen on 10 July 1949 was accepted regarding the acceptance and distribution of the border crossers from the Middle Zone. The Laender of the American Zone will agree about the fact where the transient camps for the American Zone should be established.

IV. Organizing of a Trizonal Committee for Refugee Questions

The existing Working Committee of the Refugee Administrations established on a bizonal basis will be completed by the representatives of the Laender of the French Zone. This extended Working Committee will get the indtruction to give their point of view to the draft resolution which Minister President Luedemann presented on the conference of the Minister Presidents on 5 August 1949 and to the statements which Minister President Altmeier made in the name of the Laender of the French Zone about the connection of the refugee question with the overall regulation of the burdens resulting from the war at the conference on 5 August 1949. Both point of views will be sent to the committee. The point of view of the working Committee shall be presented at the next conference of the Minister Presidents at which time the representatives of the Refugee Administrations will be present.

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20 September 1949 TPCR/P(40)11

TRIPARTITE COMMITTE ON REFUGEES

Resolution

The Minister Presidents of the West-German Länder explicitly reaffirm the resolution adopted by them at their first meeting held on 7 June 1947, which reads as follows:-

" In order to provide refugees a decent standard of living and treatment on a basis of equality with the native population, those refugees who cannot return to their home countries shall be evenly settled throughout Germany according to a system of general distribution. "

The following measures shall be taken to put the above resolution into effect:

I. Resettlement :

1. Any disproportionate accumulation of refugees in some of the Länder must immediately be adjusted in order to relieve those Länder where the presence of an excessively high number of refugees have produced the most serious shortage in employment and housing facilities.

2. By way of these adjusting measures to be taken immediately, the Länder Schleswig-Holstein and Lower Saxony will be relieved of a total of 700,000 refugees (400,000 and 300,000 respectively).

3. The Länder which are to absorb refugees will undertake to admit expellees regardless of their employability, occupation, age, or creed. These Länder are also responsible for providing adequate housing for these new inhabitants.

4. All Länder are under obligation :

   a. to give priority to requests for permission to establish residence by their own residents who had been evacuated or bombed out ;

   b. to grant residence permits to members of families wishing to join their supporter even where this would require additional living quarters;

   c. to admit political refugees and non-criminal persons who have entered the Land illegally, also released PoW's who cannot return to their homes in occupied East German territory. The Länder Schleswig -Holstein and Lower Saxony, containing the largest number of refugees shall temporarily be exempt from this requirement except where it is a matter of reuniting a family.

5. In order to make possible an equitable distribution of refugees which would also be practicable from a social and economic standpoint, all Länder shall by 31 December 1949 submit reliable data concerning available housing space, industrial capacity, (in particular the building industry), relief rates paid, and relief charges.

6. On the basis of this data, a final adjustment of the refugee population shall be made so as to ensure the proper integration of all expellees into the economy and a speedy provision of housing space.

II. Economic Integration

1. In order promptly to alleviate the lot of the expellees in the Länder of highest influx, principally Schleswig-Holstein and Lower Saxony, immediate measures shall be taken to give economic and financial aid (promotion of resettlement, establishment of refugee enterprises, work programs and special projects for juveniles). The creation of new industries and trades in these Länder will be effectively aided by providing organizational and, above all, financial support.

2. The other Länder shall pledge themselves to procure employment for refugees, if possible at the ratio of 1 to 10 with respect to the native population.

3. The integration of refugees into the economy shall be combined with a regional zoning of industry in accordance with the local availability of manpower and resources. It shall be the aim of this redistribution to attain maximum productivity and social security through full employment of all employable men and women.

4. To effect the economic integration of refugees, legislation shall be enacted similar to the present " Law on the Integration of Expellees into Agriculture " (Refugee Resettlement Law), which will give refugees every opportunity to resume the occupations and professions they had practiced in their homelands. Such legislation shall also provide, in addition to preferential treatment when factories and equipment are voluntarily turned over to refugees, the power to requisition for them factories, real estate, buildings, or equipment which are lying idle or are on the point of closing down.

III. Refugees' Homesteads

1. Homesteads shall be constructed for refugees who intend to take up permanent residence where work is available or new industries are to be established. Houses constructed within within the frame work of these measures shall exclusively be allocated to expellees.

2. Federal funds for the construction of refugee homesteads shall be allocated preferably to Länder with low revenues and with the highest number of refugees.

IV. Social and Cultural Aid

1. Federal funds shall be used for the establishment of refugee orphans and old-age homes in Länder with the largest number of refugees in order to relieve, support and accommodate orphans, aged and ailing expellees.

2. The Länder shall undertake to give refugee children priority in allocating educational aid, scholarships, teaching equipment and maintenande allowances.

3. Organizational and financial aid shall be given the Länder with the largest number of refugees in order to increase the educational opportunities for refugee children.

V. Federal Measures

1. The Minister Presidents recommend the creation of a special Ministry of Reconstruction and Refugee Affairs.

2. The Minister Presidents expect the Federal Assembly, the Federal Council and the Federal Government to give priority to the enactment of laws which will relieve the distress of the refugees.

3. The Minister Presidents recommend to the Federal Assembly the establishment of a committee on refugee problems with preference given to representatives of the Länder with the largest number of refugees, and the inclusion of delegates from these Länder in all other committees.

The Minister Presidents undertake to exert their influence on all agencies of their Länder, urging them to give priority to all matters concerning refugees, in particular, those which are required for their relief.

The Minister Presidents of the West- German Länder furthermore deem it necessary to declare as follows :

" The above -mentioned measures are intended to help alleviate and finally eliminate the distress of the expellees in West-Germany. However, they do not affect the demand of the German people, expecially of the expellees, for the restoration to the German people of the territories from which they were driven out. On the other hand, the Minister Presidents are unanimously of the opinion that this principle must not be used to engender false hopes for the near future or be taken as a pretext for delaying relief measures for the expellees ."

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19 October 1949 Pol/RDP/P(49)2

SUB - COMMITTEE ON REFUGEES AND DISPLACED PERSONS

xxxxx The attached paper Pol/RDP/P(49)2 was approved by the Sub-Committee on Refugees and Displaced Persons of the Political Committee of the High Commissioner for Germany at its first meeting on 19 October 1949.

EDWARD W. LAWRENCE
Duty Secretary

xxxx delete third line and substitute:

Political Affairs Committee of the Allied High Commission for Germany

19 October 1949 Pol/RDP/P(49) 2

SUB - COMMITTEE ON REFUGEES AND DISPLACED PERSONS

ADMISSION OF REFUGEES INTO WESTERN GERMANY.

1. For some time past, the question of the continued admission of German and non-German refugees into Western Germany from the East has formed the subject of discussion in the Tripartite Committee on Refugees. This question has been brought into prominence as the result of the issue of the final version of the Occupation Statute. Under paragraph 2 (d) of the Occ upation Statute, the Occupation Authorities specifically reserve the power to deal with the " Admission of Refugees " and the need has arisen for a clarification of Section 2 (d) and a clear definition of the character of the control which the Occupation Authorities intend to exercise over the admission of refugees.

2. There are now, over 8 million refugees in the three Western Zones. Their presence constitutes a great problem which is acting in an appreciable degree as a deterrent to the rehabilitation of Western Germany. The volume of unemployment is high and it is unlikely to increase if the present flow of refugees into Western Germany is not checked. The arrival of new refugees already in the three Western Zones, the majority of whom were forcibly expelled from their countries of origin. It is therefore apparent that the Occupation Authorities cannot continue to countenance the wholesale indis - criminate entry of refugees into the Western Zones, and the German Laender Authorities in the three Western Zones have, for some time, been showing signs of increasing concern about this continued influx. It is considered essential, therefore, that an effective frontier control should be instituted as soon as possible to stem the flow of refugees into the territory of the Federal Republic of Germany. It is however, incumbent on the Occupation Authorities to ensure that genuine political refugees are not denied asylum. This principle is in accordance with Article 16 (2) of the Basic Law.

3. It has already been agreed by the Occupation Authorities that the Frontier Control Service will become the responsibility of the new Federal Government and will come under its direct control and administration. In this connection, the Sub-Committee on Harmonisation of Legislation has recently agreed a draft Law on Frontier Control, which provides (Article I) that " entry into and departure from the territory of the Federal Republic shall be subject to regulations issued by the Allied High Commission or by allied or German Authorities designated by it ". Thus, if the Law is issued in this form , it will be open to the High Commission to designate the Federal Government as the proper authority to issue regulations on the admission of refugees.

The Sub-Committee proposals to rectify the present state of affairs are as follows :

(a) That the German Federal Government should be informed that when it assumes responsibility for the Frontier Control Service, the Occupation Authorities consider it imperative that the necessary measures should be taken for the institution of an effective frontier control on the following frontiers and boundaries : -

(i) The frontiers between the countries of Czechoslavakia and Austria, and the territory of the Federal Republic of Germany.

(ii) The boundary between the territory of the Federal Republic of Germany and the Soviet Zone of Occupation.

(b) That the German Federal Government should be requested to proceed as soon as possible with the enactment of legislation (or regulation) designed : -

(i) To control the entry of refugees into the territory of the Federal Republic, keeping in mind the claims of genuine political refugees seeking asylum.

(ii) To prevent the continued influx from the East of large numbers of refugees, in view of the already over-crowded conditions in Western Germany.

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19 October 1949 Pol/RDP/M(49)1

SUB-COMMITTEE ON REFUGEES AND DISPLACED PERSONS

MINUTES

of the

First Meeting

which was held at Frankfurt at
1030 hours on 19 October 1949

Present:

Mr. Weisz (Chairman) U.S.
Mr. Logan-Gray, U.K.
Dr. Meillon, France

Others Present

United States

Mr. Swope
Mr. Glazier
Mr. Lawrence
Mr. Groves

United Kingdom

Miss Lacey

19 October 1949 RESTRICTED Pol/RDP/M(49)1

1. CONSIDERATION OF THE TERMS OF REFERENCE OF THE REFUGEES AND DISPLACED PERSONS SUB-COMMITTEE

THE MEETING

(1) agreed: a. to the advisability of submitting to the Political Affairs Committee a proposed outline of the Terms of Reference of the Refugees and Displaced Persons Sub-Committee.

b. that a duty secretary will draft into final form the proposed outline of the Terms of Reference and circulate the paper to the 3 members of the Sub-Committee for approval prior to forwarding it to the Political Affairs Committee for consideration.

2. CARE AND MAINTENANCE OF NON-GERMAN POLITICAL REFUGEES ENTERING WESTERN GERMANY AFTER 15 OCTOBER 1949

THE MEETING

(1) agreed: to defer discussion of this question until later when the Committee knows what decision is made by IRO.

3. UTILIZATION OF ECA FUNDS FOR DISPLACED PERSONS

THE MEETING

(1) agreed: to postpone discussion of this question until more information is available from ECA and IRO.

4. ASSURANCE FROM THE GERMAN FEDERAL GOVERNMENT REGARDING THE CARE AND MAINTENANCE OF THE HARD CORE OF DPs AFTER TERMINATION OF IRO

THE MEETING

(1) agreed: to postpone discussion on this paper until a more pertinent time.

5. ADMISSION OF REFUGEES (POL/RDP/P(49)2)

The meeting discussed POL/RDP/P(49)2 which was presented by the British Member. A number of changes were suggested by the American and French members.

THE MEETING

(1) agreed: to send the paper as revised to the Political Affairs Committee for its consideration.

6. REDISTRIBUTION OF REFUGEES WITHIN WESTERN GERMANY

THE MEETING

(1) agreed: a. to take note of the following statement by the French Member:
"As of 1 October 1949, 16000 refugees have been moved to Land Wuerttemberg-Hohenzollern in organized transports from the U.S. and U.K. Zones. An additional 5000 refugees have arrived in Wuerttemberg-Hohenzollern during the same period exclusive of these transports. These together with an expected 5000 to arrive during October, will bring the number accepted by this Land to a total of 26000 as of 1 November 1949."

"Between four and five thousand refugees have been accepted in Land Baden to date."

b. to take note of the endeavors of the Federal Ministry for Refugees, in connection with the German States, to continue to work toward the redistribution of refugees in Western Germany.

c. to postpone further discussion on this subject until details of the German measures become known.

7. HUNGARIAN PROCLAMATION GRANTING CITIZENSHIP RIGHTS TO ETHNIC GERMANS IN HUNGARY

THE MEETING

(1) agreed: a. to take note of the French member's statement to the effect that the Hungarian Government had decided to tender Hungarian Citizenship to certain of the Volksdeutsche remaining in that country.

b. to discuss this question at a later date.

8. OTHER BUSINESS

The meeting discussed the ECA Technical Assistance Program on the Refugee Problem and the procedure for tripartite consideration of ECA measures on behalf of refugees.

The meeting decided to convene once every two weeks for the time being. The next date is to be set within a few days.

Mr. Lawrence was designated as Duty Secretary for the U.S. Element, Miss Lacey for the British; the French Member stated he would designate a secretary at a later date.

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Refugee and Displaced Persons Branch,
Office of the U.K. Deputy High Commissioner,
WAHN. BAOR. 19.

Tel: WAHN 332

POL/193/198/49

8th November 1949

To: Office of the Manpower Adviser, Wahn
Office of the Public Health Adviser, Bad Salzuflen
Office of the Educational Adviser, Bielefeld
Office of the Religious Affairs Adviser, Bunde

Subject: Refugee and Displaced Persons Sub-Committee

1. Enclosed for your information are copies of Pol/RDP/M(49)1 and Pol/RDP/P(49)2. (Paper No.1 has not yet been issued.)

2. We shall be glad to receive any comment you may wish to make on these documents before the next meeting of the Sub-Committee on Tuesday, 15th November 1949.

for Director
Refugee and DP Branch

Copies to:
G.A. Deane Esq., Zonal Statistical Office, Minden
J.R. White Esq., Public Opinion Research Office, Bielefeld
Manpower Division, Housing Branch, Lemgo.
Combined Travel Board, 65 HQ. OCG(BE) Herford.
Miss R. Ostermann, Womans' Affairs, German Political Branch, Berlin
Chancery, External Affairs Branch, Wahn
Office of the Regional Governmental Officer, HQ. Dusseldorf, NR/W
" " " " " " HQ. Hannover N/S
" " " " " " HQ. Kiel S/H
" " " " " " HQ. Hamburg
Central Registry, Wahn
Central Secretariat, Lubbecke
U.K. Secretary, Political Affairs Committee, Allied General Secretariat, Petersberg

It would be appreciated if we could be placed on the distribution for your Committee Minutes and Papers. Please address them to the British Chairman of the Sub-Committee, Mr. D. Logan Gray, CBE., MC.

Mr Pulley
Action by you
[signature] Noted in Secretariat
[signature] 15/12

15 Nov 49

RECEIVED
14 NOV 1949
CTS
LE-3630

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Political Division,
BERLIN,
BAOR. 2.

POL/193/182/49

10th October 1949

To: Office of the Manpower Adviser, Berlin
Office of the Public Health Adviser, Bad Rothenfelde
Office of the Educational Adviser, Bad Rothenfelde
Office of the Religious Affairs Adviser, Bunde

Subject: Tripartite Committee on Refugees

1. Enclosed for your information are copies of TFCR/M(49)6 and TFCR/P(49) 10 and 11.

2. We shall be glad to receive any comment you may wish to make on these documents.

for Director
Displaced Persons Branch

Copies to:

G.A. Deane Esq., Zonal Staff Officer, MINDEN.
J.R. White Esq., Public Opinion Research Office, BISLEFELD.
Manpower Division, Housing Branch, LEMGO.
Combined Travel Board, HERFORD.
Miss R. Ostermann, Womens' Affairs, German Political Branch, BERLIN.
Office of the Chief of Staff, BERLIN.
Office of the CAO/DCOS(Exec), LUBBECKE.

Noted 14 Oct Armstrong.

US for Info.

/

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RESTRICTED

17 November 1949

FOL/ROP/M(49)2

SUB-COMMITTEE FOR REFUGEES AND DISPLACED PERSONS

MINUTES

of the

Second Meeting

Held at WAHR at 1400 hours on
15th November 1949

Present:

Mr. Logan Gray, U.K. (Chairman)
Mr. Meillon, French
Mr. Weiss, U.S.

Others present:

United Kingdom	French	United States
Miss Lacey	Mr. Klein	Mr. Lawrence

D. M. LACEY

Duty Secretary

RESTRICTED

17 November 1949 POL/RDP/M(49)2

9. CONFIRMATION AND SIGNATURE OF MINUTES OF LAST MEETING, POL/RDP/M(49)1

THE MEETING:

(9) Confirmed the minutes subject to the following amendments:-

(i) In each reference to "Political Committee", substitute "Political Affairs Committee".

(ii) Item 2 delete from "until" till end of line, and substitute "under Item 5".

(iii) Item 8 after "Duty Secretary" insert "For the U.S. Element and Miss Lace for the British Element. The French member stated he would nominate the Secretary for his Element later".

10. POINTS ARISING FROM PREVIOUS MINUTES

(10) (a) REDISTRIBUTION OF REFUGEES WITHIN WESTERN GERMANY (POL/RDP/M(49)1, 6)

The British Member recalled that it had been decided at the last meeting, but not recorded, that the transfer of refugees from the U.K. and U.S.Zones should be merged into the redistribution of refugees within Western Germany proposed by the German Minister for Refugees.

The French Member stated that at the meeting of the Bundesrat on 10 October, authority had been given to the Ministry of Refugees to issue orders (Verordnungen) having the force of law pursuant to Article 119 of the Basic Law.

THE MEETING:

(10) (a) Noted the statements by the British and French Members, and agreed to defer discussion on this subject until official intimation has been received of the measures being taken by the Federal Government.

(10) (b) E.C.A. TECHNICAL ASSISTANCE PROGRAMME ON THE REFUGEE PROBLEM (POL/RDP/M(49)1, 8.)

THE MEETING:

(10) (b) Noted the statement by the U.S. Member that the Federal Government had not yet submitted a request for technical assistance from E.C.A. for the Refugee problem.

11. TERMS OF REFERENCE OF THE SUB-COMMITTEE

THE MEETING:

(11) Agreed the Terms of Reference (POL/RDP(49)5) to be submitted to the Political Affairs Committee.

12. REPLY TO A MEMORANDUM FROM I.R.O. ON THE STATUS OF REFUGEES IN GERMANY

THE MEETING:

(12) Noted that RDP(49)150 had been despatched to I.R.O. by the Allied General Secretariat.

/13.

13. IMPLICATIONS OF CONTINUANCE OF I.R.O. OPERATIONS

The British Member circulated a draft paper setting out the intentions of I.R.O. regarding the supplementary period of their operations after 30 June 1950.

THE MEETING:

(13) Noted the paper and agreed:-

(i) that no further negotiations with the German Länder authorities regarding the disposal of the "hard core" are necessary at this stage;

(ii) that no statement by the Allied High Commission to the Federal Government is required for the time being.

14. FUNCTIONS OF THE COMBINED REPATRIATION EXECUTIVE AS OPPOSED TO THE TERMS OF REFERENCE OF THE COMBINED TRAVEL BOARD.

THE MEETING:

(14) Agreed to convene a meeting of the three Elements of the CRX, the U.S. Member to be in the Chair, for the purpose of examining in detail their Terms of Reference and functions, and decided that it would be within the discretion of the Chairman whether consultation with CTB was necessary before submission of an agreed paper to the Sub-Committee.

15. GERMAN REFUGEES IN POLAND

The Allied High Commission had received two letters from the Federal Chancellor regarding the transfer into Western Germany of 45,000 refugees from Poland and Czechoslovakia. This subject was referred through the Political Affairs Committee to the Sub-Committee for examination.

THE MEETING:

(15) Made comments and recommendations on the two letters and agreed a paper for consideration by the Political Affairs Committee at their extraordinary meeting to be held on 16 November 1949.

16. ADMISSION OF REFUGEES (Previous Reference POL/RDP/M(49)1, 5)

The Political Affairs Committee had considered POL/RDP/1(49)2 and submitted their recommendations in HICOM/R(49)59 to the Council of the Allied High Commission. The Council directed that a memorandum to the Federal Government should be drafted in the form of a delegation of powers in the reserved field under Para 2 (i) of the Occupation Statute.

THE MEETING:

(16) Approved a draft memorandum for submission to the Political Affairs Committee to be considered at their extraordinary meeting on 16 November 1949.

17. HARMONISATION OF LEGISLATION

The Political Affairs Committee had asked the Sub-Committee to consider the

/desirability

desirability of harmonising three Ordinances:-

(a) U.K. Ordinance 125 as amended by 170 and regulation thereunder - Liability of Displaced Persons for maintenance and other charges.

(b) U.K. Ordinance 126 - Control of Displaced Persons suffering from infectious diseases.

(c) U.K. Ordinance 27 - Documentation and Residence of certain Displaced Persons.

THE MEETING:

(17) (a) Agreed that, as under Article 5 of the Charter of the Allied High Commission unilateral responsibility could be exercised in Displaced Persons matters, the Ordinances in question should be retained as unilateral legislation and not harmonised.

(b) Instructed the Duty Secretary to submit a paper containing the above decision to the Political Affairs Committee for their next meeting on 25 November 1949.

18. ADMISSION OF GERMAN NATIONALS TO CANADA

The British Member quoted from a letter that had been received from the Office of the High Commissioner for Canada in London regarding the relaxation of immigration laws on the admission into Canada of German nationals who have relatives in Canada. He said he had discussed this matter with the Canadian Military Mission in Berlin and had been informed that any applications for Germans to enter Canada would be initiated through the Government of that country.

THE MEETING:

(18) Noted the statement by the British Member.

19. TREATMENT OF CZECH REFUGEES

The U.S. Member stated that a problem had arisen in the U.S. Zone on account of the back-log of Czech refugees which had accumulated since 15 October 1949 when I.R.O. ceased to register them as Displaced Persons. These people were not always acceptable to the German authorities, and arrangements had had to be made for separate accommodation for them.

The British Member said that the problem existed on a smaller scale in the British Zone. The matter was difficult, particularly in view of the proposed delegation of powers to the Federal Government to control the admission of such people.

The French Member said the French Zone were also receiving some number of these people, and that after 15 October, they had been segregated in Displaced Persons' Camps.

THE MEETING:

(19) Agreed that the U.S. Member should prepare a paper on this subject for the next meeting, and that the British and French Members should further study the possibilities of dealing with these people in their respective Zones.

/20.

20. UNIFORM TREATMENT OF DISPLACED PERSONS DISMISSED FROM ASSEMBLY CENTRES.

The U.S.Member submitted a paper regularising the procedure for the transfer of ineligible Displaced Persons from Displaced Persons' Camps to the German economy, and requested information as to the procedure in force in the French and British Zones.

The French Member said the French Zone authorities had already issued instructions for dealing with such cases, and the procedure was working smoothly. He was prepared to discuss the possibilities of harmonising these measures as between Zones, if it were considered necessary.

The British Member agreed to produce the instructions which were in force in the British Zone, for comparison with those for the U.S. and French Zones.

THE MEETING:

(20) Agreed that each Element should produce copies of the instructions in their respective Zones, and that the matter should be discussed as soon as this information was available.

21. OTHER BUSINESS

(a) CARE AND MAINTENANCE OF CONCENTRATION CAMPS

The French Member stated that cases had occurred of mass graves in former concentration camps being disturbed because they were not marked with any form of memorial, and requested that a list of these mass graves in the three Zones should be compiled and the German authorities instructed to take steps to ensure their upkeep.

The British Member undertook to obtain information regarding the maintenance of such sites in the British Zone.

The U.S.Member said he was willing to do likewise.

THE MEETING:

(21) (a) Noted the above statements and deferred further discussion until the necessary information had been obtained.

(b) U.S. MEMBER OF SUB-COMMITTEE

THE MEETING:

(21) (b) Noted the appointment of Mr. Swope as U.S.Member of the Sub-Committee for Refugees and Displaced Persons in place of Mr. Weiss.

(c) O.E.E.C. AND E.C.A. BUSINESS

The U.S.Member said he had attended recently meetings in Paris called by the Labour Adviser's Office of the Special Representative of E.C.A. on the subject of the surplus population problem in Europe. The purpose of the meeting was to agree the U.S. position to be presented to the O.E.E.C. Labour Committee which, for the first time, had a German member. This Committee is studying possible measures for the alleviation of the surplus population problem in Europe.

THE MEETING:

(21) (c) Noted the above statement.

/21 (1)

21. (a) SUB-COMMITTEE PROCEDURE

THE MEETING:

(21) (d) Agreed:-

(i) In order to facilitate discussion, draft papers would be prepared on points submitted for the Agenda by each element.

(ii) These papers would not be circulated as official Sub-Committee papers unless the recommendations and decisions reached made it necessary.

(iii) That questions of a functional nature (i.e. such as the letters from the Federal Chancellor in Item 15), should be referred direct to the Sub-Committee by the Allied General Secretariat.

NOTE: This has been agreed with the British Secretary of the Political Affairs Committee, but in order to conform with the Allied General Secretariat procedure that anything received at the "top" must come through the appropriate channels, and all levels be informed, any such letters will be passed through the three Elements of the Political Affairs Committee Secretariat.

(iv) To endeavour, unilaterally, to overcome the ruling by the Allied General Secretariat that "until such time as Tripartite accommodation is available, the procedure would be to hold Sub-Committee meetings at unilateral headquarters".

22. DATE OF NEXT MEETING

Fixed provisionally for Wednesday, 30 November 1949.

Translation

C O N F I D E N T I E L

17 Novembre 1949 POL/RDP/M(49)2

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

PROCES-VERBAL
de la
2ème REUNION

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qui s'est tenue à WAHN le 15 Novembre 1949 à 14 heures

MEMBRES PRESENTS

M. LOGAN-GRAY (Président) G.B.
Dr. MEILLON France
M. WEISZ U.S.

AUTRES PERSONNES PRESENTES

GRANDE BRETAGNE	FRANCE	ETATS-UNIS
Miss LACEY	Mr. KLEIN	Mr. LAWRENCE

Conclusions 9 à 22

C O N F I D E N T I E L

CIN 7199
3 JAN 1950
CTB

9th November 1949

POL/RDP/P(49)1

SUB-COMMITTEE FOR REFUGEES AND DISPLACED PERSONS

TERMS OF REFERENCE

1. The Sub-Committee for Refugees and Displaced Persons to report to the Political Affairs Committee, was established in accordance with para L (a) (ii) of AGSbC/MEMO(49)6 as approved by the High Commissioners at their informal meeting on 13th October 1949.

2. The Terms of Reference of this Sub-Committee are now attached for consideration by the Political Affairs Committee at their meeting on 29th November 1949.

D. M. LACEY

Duty Secretary

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9th November 1949 POL/RDP/P(49)1

TERMS OF REFERENCE OF THE SUB-COMMITTEE FOR REFUGEES & DISPLACED PERSONS

The Sub-Committee for Refugees and Displaced Persons to report to the Political Affairs Committee, was established in accordance with para L (a) (ii) of AGSEC/MEMO(49)6 as approved by the High Commissioners at their informal meeting held on 13th October 1949.

In accordance with para 2 (d) of the Occupation Statute, which reserves to the Allied High Commission powers in the fields of Displaced Persons and the admission of refugees, and in continuation of the activities undertaken by the Tripartite Committee on German Refugees, which was established by TAIE/P(49)40 dated 11th May 1949, as approved at the 16th meeting of the three Military Governors on 17th May 1949, the Sub-Committee for Refugees and Displaced Persons has as its Terms of Reference:-

(a) Dealing with the refugee problem in conjunction with the German Authorities and interested agencies, international and otherwise.

(b) Considering all questions concerning refugees, demographic pressure, emigration of refugees and related matters.

(c) Considering such aspects of these problems relating to Displaced Persons as may have other than unilateral implications.

(d) Negotiating with German Authorities as necessary on matters pertaining to Displaced Persons.

(e) Considering such matters pertaining to prisoners of war, tracing of missing persons, maintenance of Allied graves, exhumation and repatriation of United Nations bodies, etc., as may be appropriate.

(f) Supervising the tripartite activities of the Combined Repatriation Executive.

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Refugee and Displaced Persons Branch,
Office of the U.K. Deputy High Commissioner,
WAHN. BAOR. 19.

Tel: WAHN 332

POL/193/202/49

19th November 1949

To: Office of the Manpower Adviser, Wahn,
Office of the Public Health Adviser, Bad Salzuflen
Office of the Educational Adviser, Bielefeld
Office of the Religious Affairs Adviser, Bunde

Subject: Refugee and Displaced Persons Sub-Committee

1. Enclosed for your information are copies of POL/RDP/M(49)2 and POL/RDP/P(49)1.

2. We shall be glad to receive any comment you may wish to make on these documents before the next meeting of the Sub-Committee on Wednesday, 30th November 1949.

For Director
Refugee and DP Branch

Copies to:
S.A. Deane Esq., Zonal Statistical Office, Minden
J.R. White Esq., Public Opinion Research Office, Bielefeld
Manpower Division, Housing Branch, Lemgo
Combined Travel Board, c/o HQ.CCG(BE) Herford.
Miss R. Ostermann, Women's Affairs, German Political Branch, Berlin.
Chancery, External Affairs Branch, Wahn.
Office of the Land Governmental Officer, HQ. Dusseldorf, NR/W
" " " " " " HQ. Hannover, N/S
" " " " " " HQ. Kiel S/H
" " " " " " HQ. Hamburg
Central Registry, Wahn
Central Secretariat, Lubbecke
U.K. Secretary, Political Affairs Committee, ACSEC, Petersberg
Registrar, ACSEC. Petersberg.

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6 Décembre 1949 PCL/RDP/Sec(49)2

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

Secrètariat

DESTINATAIRE : Monsieur le Président de l'Office Tripartite de la Circulation.

OBJET : Délimitation des attributions réciproques de l'Office Tripartite de la Circulation et du Bureau interallié de rapatriement (CRX).

I - Vous êtes prié de vous reporter au document britannique (projet) CTB/202 adressé au présent comité (Annexe I)

2 - Lors de sa réunion du 2 Décembre 1949, le Sous-Comité des Réfugiés et Personnes Déplacées a examiné le document ci-dessus et m'a chargé, vu l'urgence et la nécessité d'éviter tout conflit d'attributions entre le CTB and le CRX, de porter à votre connaissance, sans attendre l'approbation tripartie du document CTB/202, les conclusions de cette étude : (PCL/RDP/M(49)3)

.....LE SOUS-COMITE

(24) e) (i) décide de faire connaitre immédiatement a l'Office Tripartite de la Circulation les amendements mineurs avec lesquels le document du membre britannique de l'OTC/CTB paraitrait acceptable au Sous-Comité des Réfugiés et Personnes Déplacées.

(ii) propose, en cas d'accord tripartite au sein de l'OTC/CTB sur ces amendements de tenir le plus tot possible une réunion mixte entre représentants de l'OTC/CTB et du CRX pour aplanir les difficultés techniques qui se sont fait jour récemment.

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(iii) estime désirable pour éviter certains retards et difficultés techniques que les officiers de Permit Militaires soient avisée que jusqu'à nouvel ordre ils ne doivent pas apporter de changements aux procédures CRX en vigueur

(iv) charge de secrétaire en exercice de faire connaitre a l'OTC/CTB les conclusions (i) (ii) (iii) ci-desous.

3 - Copie des parties du texte amendé sont jointes en annexe 2

4 - Vous êtes prié de porter cette question a la connaissance de votre Sous-Comité.

F. HENNIN

Secrétaire en exercice

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Annexe I a
POL/RDP/Sec(49)2

CONFIDENTIEL

C.T.B./202

P R O J E T Traduction
(Membre Britannique de l'OTC/CTB)

Au : Secrétariat
Sous-Comité des Réfugiés et Personnes Déplacées
Comité des Affaires Politiques

OBJET : RELATIONS ENTRE l'OTC/CTB et le CRX

I - Un échange de correspondance a eu lieu entre le Brigadier Morris, de l'OTC/CTB et M. Logan-Gray, membre britannique du Sous-Comité des Réfugiés et des Personnes Déplacées concernant les fonctions respectives de l'Office Tripartite de la Circulation (CTB) et le CRX a la lumiere de la Charte donnée a l'OTC.CTB par le document POL/P(49): DEFINITIF en date du 10 Octobre 1949. Ce document mettait dans les attributions de l'Office Tripartite de la Circulation (CTB) le controle des déplacements pour les mouvements aussi bien individuels que collectifs.

2 - En conséquence certains doutes ce sont élevés sur le point de partage des attributions entre le CRX et l'OTC/CTB. Aussi la preposition suivante est-elle faite :

a) Le Sous-Comité des Réfugiés et Personnes Déplacées fair connaitre le ligne de conduite générale en ce qui concerne l'admission des réfugiés et le rééblissement des Personnes Déplacées.

b) Cette ligne de conduite générale est mise en pratique par l'OTC/CTB et le CRX comme suit :

(i) le CRX a dans ses attributions tous les arrangements liés aux déplacements des groupes autorisés par le Sous-Comité des Réfugiés et Personnes Déplacées. C'est a dire le CRX prend les mesures relatives au transfert, a l'accueil et a la répartition des réfugiés a l'intérieur de la République Fédérale en liaison avec les Autorités appropriées.

(ii) l'OTC/CTB a dans ses attributions la délivrance de documents, par l'intermédiaire de ses bureaux internes ou étrangers, a tous les groupes autorisés par le Sous-Comité des Réfugiés et Personnes Déplacées. Dans le cours de la procédure de délivrance des documents, l'Office Tripartite de la Circulation/CTB informe des

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Autorités appropriées (c'est a dire "Intelligence"/Sureté - Bureau de renseignements)

3 - Aussi vous est-il demandé de donner votre accord à ce partage des attributions. Si vous approuvez nos suggestions, voudriez-vous s'il vous plait arranger prochainement une réunion entre membres du CRX et du CTB de telle sorte que l'on puisse on mettre d'accord sur les détails techniques de fonctionnement pour la routine quotidienne.

* *

Annexe 2
PCL/RDP/Sec(49)2

RELATIONS entre l'OTC/CTB et le CRX

(Amendements au projet britannique CTB/202 suggérés par le Sous-Comité des Réfugiés et Personnes Déplacées)

.....

2. - En conséquence certaine doutes se sont élèves sur le point de partage des attributions entre le CRX et l'OTC/CTB. Aussi la preposition suivante est-elle faite :

a) Le Sous-Comité des Réfugiés et Personnes Déplacées fait connaitre la ligne de conduite generale en ce qui concerne l'admission des réfugiés, le réétablisshment des Personnes Déplacées etc...

b) Cette ligne de conduite générale est mise en pratique par l'OTC/CTB et le CRX comme suit :

(i) le CRX a dans ses attributions tous les arrangements liés aux déplacements des groupes, entrant en Allemagne, transitent par ce pays ou le quittent, avec l'autorisation du Sous-Comité des Réfugiés et et Personnes Déplacées. Le CRX prend en particulier les mesures relatives au transfort, a l'accueil et a la répartition des réfugiés a l'intérieur de la République Fédérale en liaison avec les Autorités appropriées.

(ii) l'OTC/CTB est responsable en règle générale des documents dont doivent être munies les personnes composant les groupes, dont le déplacement est autorisé par le Sous-Comité des Réfugiés et Personnes Déplacées. Toutefois, en raison de la nature même des déplacements collectifs, la procédure de délivrance de ces documents sera mutuellement convenue entre l'OTC/CTB et le CRX,

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et, autant que faire se peut, les procédures existantes devront etre maintenues. Les déplacements de Personnes déplacées émigrant hors de la Zone Américaine d'occupation ne nécessiteront la délivrance d'aucun document de l'OTC/CTB, à moins de désir contraire exprimé par le pays de rétablissement.

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External Affairs

Ref 192.

The attached (very old) letter from the Refugees & Displaced Persons Sub-Committee has been received to-day in the Secretariat. In it they ask for an early meeting between representatives of CTB and CRX to smooth out difficulties. Annexe I is the letter addressed to the R&DP Sub-Committee by the Chef de Cabinet on the subject of relations between CTB & CRX, and Annexe II gives their suggested amendments to our proposals.

It is thought that a copy of the letter in English has already been circulated. If, however, any action by the Board is required, the Chef de Cabinet should be approached.

C.E.J. Pulley

Secretariat 4/1/50

See letters on CTB/202

Al. Swenhuse 12 Jan.

Reply proposed. NA

[illegible] 20 Jan.

~~510~~

(201)

Refugee and Displaced Persons Branch,
Office of the U.K. Deputy High Commissioner,
WAHN. BAOR. 19.

Tel: WAHNERHEIDE 332 20th December 1949

276.

To: Office of the Manpower Adviser, Wahn
Office of the Public Health Adviser, Bad Salzuflen
Office of the Educational Adviser, Bielefeld
Office of the Religious Affairs Adviser, Bunde

Subject: Refugee and Displaced Persons Sub-Committee

Enclosed for your information are copies of POL/RDP/M(49)4.

for Director
Refugee and DP Branch

Copies to:
G.A. Deane Esq., Zonal Statistical Office, Minden
J.R. White Esq., Public Opinion Reserach Office, Bielefeld
Manpower Division, Housing Branch, Lemgo
Combined Travel Board, 65 HQ. CCG (BE), Herford
Miss R. Ostermann, Womens' Affairs, German Political Branch, Berlin
Chancery, External Affairs Branch, Wahn
Office of the Land Governmental Officer, HQ. Dusseldorf, NR/W
" " " " " " HQ. Hannover, N/S
" " " " " " HQ. Kiel, S/H
" " " " " " HQ. Hamburg
Central Registry, Wahn
Office of the Chief of Staff, Lubbecke
U.K. Secretary, Political Affairs Committee, AGSEC, Petersberg
Registrar, AGSEC, Petersberg.

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19th December 1949 POL/RDP/M(49)4

SUB-COMMITTEE FOR REFUGEES AND DISPLACED PERSONS

MINUTES

of the

Fourth Meeting

held at Petersberg at 1430 hours on
Wednesday, December 14th 1949

Present:

Dr. Meillon, France (Chairman)
Mr. Swope, U.S.
Mr. Logan Gray, U.K.

Others present:

France	U.S.	U.K.
M. Hennin	Mr. Weisz Mr. Lawrence	Miss Lacey

Conclusions 31 to 40

OFFICIAL TRANSALATION OF FRENCH MINUTES.

20 December, 1949 POL/RDP/M(49)4

31. CONFIRMATION AND SIGNATURE OF MINUTES OF LAST MEETING (POL/RDP/M(49)3)

THE SUB-COMMITTEE

(31) (i) decided to delete the words "Liaison service and protocol of "..... in decision (24)d)iv,

(ii) decided to delete the 2nd and 3rd paragraphs of conclusion 29.a)

(iii) approved and signed the Minutes thus amended.

32. POINTS ARISING FROM PREVIOUS MEETINGS

Redistribution of Refugees in Western Germany (POL/RDP/M(49)2, 24, 1)

The French Delegated stated that two transports will leave Schleswig-Holstein and Niedersachsen for Rheinland-Pfalz between 15-20 December, 1949

THE SUB-COMMITTEE

(32) (a) Noted the French Delegate's statement

(b) Meeting with the Representatives of I.R.O. (POL/RDP/M(49)3, 24iv)

(32) (b) took note of the dispatch of document POL/RDP/Sec(49)3.

(c) Functions of CRX as opposed to the Terms of Reference of CTB (POL/RDP/M(49)3, 24, e)

THE SUB-COMMITTEE

(32) (c) took note of the dispatch of document POL/RDP/Sec(49)2

(d) Transfer to Western Germany of 45,000 Refugees from Polish administered territories and Czecho-Slovakia (POL/RDP/M(49)3, 24 vi))

AGSEC(49)217 considered by the Sub-Committee and also various requests submitted at the Meeting held on 14-12-49 at the instigation of the Federal Authorities recalling from para. 2 of AGSEC(49)217:-

- the suppression of all administrative difficulties preventing the re-uniting of families according to the German internal plan,
- the carrying out of the transfers by organised convoys
- the modification of the instructions issued to the Military Permit Officers at Prague and Warsaw with a view to replacing the issue of individual visas by collective visas on nominal lists supplied by the Red Cross organisation.

The British Delegate was of the opinion that the transfers from Poland only affected the British Zone and could be treated separately. In view of precedents created

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by previous transfers of children, etc. ..... and of the long delay which permitted the individual verification at all interested levels of the 24,000 persons to be regrouped from Poland; he saw no reason why in practice the German requests should not be granted. A Meeting of experts was to be held on 15 December in the British Zone in order to fix details.

The French Delegate stated that in his opinion the decisions which would be taken in principle for the special case of Poland and the British Zone would in fact bind the two other Zones as regards the transfers from Poland and would create a precedent for Czecho-Slovakia, unless it could be argued that the immense majority of Germans to be regrouped from Czechoslovakia are already in possession of individual permits, i.e., that the negotiations with the Czechoslovakian Authorities had taken a different course. He thought it highly desirable to reach agreement on the Allied viewpoints.

The American Delegate agreed in principle with the acceleration of the family regroupment procedure. On the strength of past experience and in view of the larger means at the disposal of the MRO at Prague, he did think, however, that the system of documentation and individual visas was incompatible with an accelerated pace. Not having seen the Red Cross lists yet, he would like to be assured that the persons appearing thereon have in fact received permission to reside from the German local Authorities. He would like the transfers from Poland and Czechoslovakia to be resumed simultaneously.

The British Delegate agreed to adhere to the principle of synchronising the transfer from Poland and Czechoslovakia.

THE SUB-COMMITTEE

(32)d) i) noted the German requests

ii) agreed to leave it to the British Element to carry on negotiations with the Polish Authorities and to the American Element to do the same with the Czechoslovakian Authorities

iii) agreed firstly, to synchronise as much as possible the start of the transfers from Poland and Czechoslovakia, secondly to simplify and accelerate the procedure as much as was compatible with the particular circumstances in the various countries of origin and in the Zones of destination.

e) Admission of Illegal German Refugees (POL/RDP/M(49)3,24f) AGSEC(49)24

THE SUB-COMMITTEE

(32)e) noted that the discussion of this question at the Bundesrat fixed for 9th December was postponed to a later date.

f) Admission of Non-German Refugees (POL/RDP/M(49)3,25) and POL/RDP/Sec(49)4)

THE SUB-COMMITTEE

(32)f) i) took note of the dispatch of POL/RDP/Sec(49)4

ii) took note of the declarations made at the Meeting of 14 December by the Federal Minister for Refugees, according to which the Federal Government will notify its agreement to shoulder the responsibility for the right of asylum for such refugees as would be

/recognised

recognised as political refugees. It would reserve to itself the right to apply common law to other non-German refugees who cross the frontier illictly; it would also express the wish to transfer refugees from Czechoslovakia, into territories where they would come less into touch with Germans expelled from Sudetenland,

iii) noted that the unilateral reply sent by the Americans to the letter from the Federal Chancellor would be communicated without delay.

iv) took note that the British Delegate submitted an amended draft for para. 4 of the document HICOM/P(49)78 which paragraph had been deleted by the Council of the High.Commission.

(g) Tripartite Communications and Liaisons (POL/RDP/M(49)3,27)

THE SUB-COMMITTEE

(32)g) took note of the dispatch of POL/RDP/SEC(49)5

h) Care and Maintenance of former Concentration Camps (POL/RDP/M(49)3(24)xi)

The Sub-Committee examined a memorandum on measures taken in the French Zone of Occupation in order to ensure the preservation and maintenance of the former concentration camps and of their common graves, charnel houses, ossuaries and crematoria; and an American memorandum giving a rough estimate of the number of common graves in each Laender.

THE SUB-COMMITTEE

(32)h) took note of the documents submitted and decided to continue the discussion when all necessary information had been collected in the different Zones.

33. UNIFORM TREATMENT OF DISPLACED PERSONS FROM ASSEMBLY CENTRES

THE SUB-COMMITTEE

(33)i) noted that 3 different procedures existed in the British Zone according to the category of Displaced Persons affected,

ii) noted that the British Delegate will submit the administrative regulations referring thereto to his colleagues,

iii) that the American Delegate will publish, as a temporary measure, the instructions submitted for examination, until such time as unification is facilitated by the existence of similar arrangements for the management of the camps in the different Zones.

34. REHABILITATION OF DISCHARGED D.P. PRISONERS (POL/RDP/M(49)26))

The Sub-Committee examined a British proposal. The French Delegate announced that the number of D.Ps. concerned did not justify the creation of a rehabilitation centre in the French Zone.

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The American Delegate had not yet received the information as to numbers.

THE SUB-COMMITTEE

(34) (i) decided to postpone the matter and to take it up again when the whole problem of establishing rehabilitation centres would be examined,

(ii) noted that the British Delegate intended to submit a document relating to the extradition of common criminals amongst D.P's.

35. DEDUCTIONS MADE FROM D.Ps' SALARIES FOR MAINTENANCE

The British Delegate announced that the sum amounted to 14 million D.Ms. for the British Zone.

The American Delegate, in amplification of his previous declaration, indicated that the salaries paid to certain D.P's. employed are booked in the German budgets in net amounts after deduction of sums repayable, which enabled the total estimated expenditure during the fiscal years 1948/49 (D.M.) and 1949/50 to be reduced by 45 million D.Ms.

THE SUB-COMMITTEE

(35) took note of the dispatch by the American Delegation of a draft codification of the different regulations in force in the U.S. Zone.

36. UNACCOMPANIED CHILDREN

THE SUB-COMMITTEE

(36) took note of the arrangements in force in the different Zones and decided that urgent considerations took preference over complete harmonisation.

37. CONFERMENT OF THE TERM "STATELESSNESS"

As this question is being considered by UNO, the American Delegate did not wish to discuss it on the German level.

THE SUB-COMMITTEE

(37) decided to withdraw this item from the Agenda.

38. STATISTICAL INFORMATION REQUIRED BY THE SUB-COMMITTEE ON REFUGEES AND DISPLACED PERSONS

The Sub-Committee examined documents ACSEC(49)149 transmitted by POL/SEC(49)33 and the booklet "Wirtschaft und Statistik" published by the Federal Government services which forms "one of the statistical sources of information" mentioned in para. 2 of the letter POL/SEC(49)33.

THE SUB-COMMITTEE

(38) decided to base its discussion at the next meeting on a proposal submitted by the American Delegate.

/OTHER

THE SUB-COMMITTEE

(39)e) noted that the British Delegate would submit to his colleagues proposals in writing regarding the return clause.

f) Law in the American Zone on the Indemnification of Persons having suffered Damage or Losses caused by National Socialism (General Claims Law)

The American Delegate drew attention to Art. 6 of this unilateral law which provided for D.P's. the benefit of compensations, on condition that they resided in a D.P. Camp on 1st January 1947, even if they had emigrated since that date into another Zone or Country.

THE SUB-COMMITTEE

(39)g) decided to study at their next meeting the repercussion of this unilateral law on their respective Zones.

40. DATE OF NEXT MEETING

TUESDAY, 11th January, 1950 at 10.00 hours at BONN-PETERSBERG.

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C O N F I D E N T I E L

7 Décembre 1949

POL/RDP/Sec(49)4
Annexe

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

Secrétariat

Extraits de POL/RDP/A(49)3

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25. - LETTRE DU CHANCELIER FEDERAL AU HAUT-COMMISSAIRE AMERICAIN SUR LES NEO-REFUGIES TCHECOSLOVAQUES, ET PLUS PARTICULIEREMENT SUR LES RESPONSABILITES A LEUR EGARD EN MATIERE DE REPARTITION, d'ETABLISSEMENT etc....(POL/RDP/P(49) 6) (POL/Sec(49)4I et AGSEC(49)220).

Le Sous-Comité est saisi en même temps du mémorandum américain accompagnant la lettre du chancelier, d'un projet américain de résolutions complémentaires, et du document AGSEC(49) 220 transmettant la lettre du chancelier pour étude tripartite.

Après une longue discussion du problème et du projet américain de résolutions, l'accord n'ayant pu se faire,

le SOUS-COMITE

(25)a) prend note de ce que le Haut-Commissaire Américain répondra unilatéralement à la lettre du chancelier, indiquant qu'il n'a pas d'objections en ce qui le concerne à donner satisfaction au Chancelier, notamment en laissant faire une redistribution des réfugiés tchèques en dehors de la Bavière, à condition toutefois que les Autorités allemandes respectent un certain nombre d'obligations à l'égard de ceux des réfugiés tchèques reconnus par un comité de triage de l'OIR ou de la Haute-Commission Américaine comme répondant aux normes d'éligibilité à la protection politique et légale de l'O.I.R.. Ces obligations portent notamment sur les standards de nourriture et de logement, les libertés fondamentales, les documents d'identité, l'auto-administration et la ségrégation en camps.

/b)

C O N F I D E N T I E L

C O N F I D E N T I E L

7 Décembre 1949 FOL/RDP/Sec(49)4
Annexe

b) prend note de ce que les délégués britannique et francais désirent éviter de donner l'impression de créer un régime préférentiel en faveur de telle ou telle catégorie nouvelle de Personnes Déplacées ou réfugiés, ne peuvent souscrire en première analyse à ce que des conditions et normes particulières paraissent sans nécessité dictées aux Allemands, et estiment que la question toute entière des néo-réfugiés non allemands devra être examinée à la lumière des instructions que les Hauts-Commissaires ne manqueront pas de donner après leur entretien à ce sujet avec le Chancelier fédéral le 8 Décembre 1949.

c) charge le Secrétaire en Exercice de faire savoir au Comité Politique que la lettre du Chancelier sera répondue unilatéralement.

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1. Janvier 1950

POL/RDP/AGENDA (50)2

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

ORDRE DU JOUR de la 6ème REUNION

DU SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

QUI SERA TENUE à BONN-PETERSBERG le 25 JANVIER

1950 à 10h,30

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1- CONFIRMATION ET SIGNATURE DU PROCES-VERBAL DE LA REUNION PRECEDENTE (POL/RDP/M(50)1) -

2- POINTS RESULTANT DES SEANCES PRECEDENTES.-

(a) Programme d'assistance technique de l'ECA en faveur du problème des Réfugiés (POL/RDP/M(49)3, Conclusion 24 (b) 5 Décembre 1949).

(b) Admission en Allemagne Occidentale des Réfugiés Politiques non Allemands. (POL/RDP/M (49)3, Conclusion 24 (g) 5 Décembre 1949).

(c) Lettre de l'OIR demandant une réunion avec des représentants de la Haute-Commission Alliée (Pol/RDP/M(50)1 Conclusion 42 (a). 19 Janvier 1950.

(d) Entretien et conservation des anciens camps de concentration (POL/RDP/M(50)1, conclusion 42 (c) -

(e) Besoins en statistiques de la Haute-Commission Alliée (POL/RDP/M(50)1 conclusion (42)(f)

(f) Ex-Prisonniers de guerre Allemands en Espagne (POL/RDP/M (50) 1, conclusion 42 (g) -

(g) Proposition de la Mission Australienne envisageant le rétablissement de Réfugiés Tchèques de Zone Américaine POL/RDP/M (50)- Conclusion 42 (i) -

(h) Fonctions du CRX en opposition avec les attributions de l'OTC (POL/RDP/M (50)1- Conclusion 42 (j)

(i) Avenir du Service International des Recherches - (POL/RDP/M(50)1 - Conclusion 43 -

Secrétariat 15/2/50

(j) Projet de Loi sur le statut juridique des Réfugiés et Personnes Déplacées (POL/RDP/M(50)1 Conclusion 44)

.../1..

C O N F I D E N T I E L

19 Janvier 1950 POL/RDP/AGENDA (50) 2

(k) Etablissement d'un Camp de Personnes Déplacées à MARSEILLE (POL/RDP/M 650)1 conclusion 46 (l)

(l) Augmentation des rations pour les Personnes Déplacées POL/RDP/M(50)1 conclusion 46 (f)

3- LETTRE EMANANT DU DIRECTEUR DU SERVICE INTERNATIONAL DES RECHERCHES ADRESSEE AUX TROIS HAUTS-COMMISSAIRES AU SUJET DE LA RECHERCHE DES ENFANTS.

4- UTILISATION DES FONDS DE CONTREPARTIE DE L'ERP POUR LES PROJETS CONCERNANT LES REFUGIES ET LES PERSONNES DEPLACEES.

5- QUESTIONS DIVERSES :

(a) Fin de l'O.I.R.

(b) Officier de liaison de l'OIR

(c) Emigration hors d'Europe

(d) Télégramme de l'OIR relatif à une réunion avec les Hauts-Commissaires.

Secretariat
15/2/50

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31 Janvier 1950 POL/RDP/P(50) I

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

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MEMORANDUM DE LA HAUTE-COMMISSION ALLIEE AU GOUVERNEMENT FEDERAL SUR LES CONSEQUENCES DE LA PROCHAINE REDUCTION DES ATTRIBUTIONS DE L'ORGANISATION INTERNATIONALE DES REFUGIES.

I. - Selon la Charte de l'Organisation Internationale des Réfugiés les activités de cette dernière devaient cesser le 30 Juin 1950, mais les délégations des Gouvernements membres de l'OIR ont donné leur accord pour prolonger son activité pendant une nouvelle période de six à neuf mois après cette date afin d'achever le programme de réétablissement.

2. - Par cette décision, toutes les personnes déplacées qui ne seront pas en cours de réétablissement à la date du 30 Juin 1950 tomberont sous la responsabilité du Gouvernement Fédéral Allemand.

3. - Le mémorandum ci-joint définit les responsabilités que doit assumer le Gouvernement Fédéral à l'égard de ces personnes après le 30 Juin 1950 et il est soumis à l'examen du Comité des Affaires Politiques pour sa réunion du 3 Février 1950.

D.M. LACEY

Secrétaire en Exercice

P.J. aux destinataires seulement

Secretariat 15/2/50

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C O N F I D E N T I E L

9 Février 1950 POL/RDP/M(50)3

SOUS-COMITE DES REFUGIES & PERSONNES DEPLACEES

PROCES - VERBAL

(276)

de la

Septième Réunion

qui s'est tenue à BONN-PETERSBERG le Jeudi 9 Février 1950 à 14h,30

ETAIENT PRESENTS :

M. SWOPE, Etats-Unis (Président)

Dr MEILLON, France

M. LOGAN-GRAY (Grande-Bretagne)

Autres personnes présentes :

Etats-Unis	France	Grande-Bretagne
M. WEISS	M. KLEIN	Miss LACEY
M. LAWRENCE	M. HENNIN	

Conclusions 53 à 57

CIN 9178
20 FEB 1950
CTB

C O N F I D E N T I E L

C O N F I D E N T I E L

9 Février 1950 POL/RDP/M(50) 3

53- CONFIRMATION ET SIGNATURE DU PROCES-VERBAL DE LA REUNION PRECEDENTE (POL/RDP/M(50)2

LE SOUS-COMITE
(53) approuve et signe le Procès-verbal de la réunion précédente.

54- POINTS RESULTANT DES SEANCES PRECEDENTES

a) ASSISTANCE ET ENTRETIEN DES REFUGIES POLITIQUES NON ALLEMANDS EN ALLEMAGNE OCCIDENTALE (POL/RDP/M(50)2 - Conclusion 49) b)-

Le Délégué Américain diffuse un nouveau projet de document sur le sujet ci-dessus ; après discussion il est devenu apparent qu'il y avait certaines différences fondamentales entre les points de vue des divers délégués à l'égard de ce problème.

LE SOUS-COMITE
(54) a) i) décide de poursuivre l'étude du document.

ii) décide de présenter à la réunion suivante les différents points de vue de façon qu'ils puissent être fondus en un document unique et transmis au Comité des Affaires Politiques.

b) LETTRE DE L'O.I.R. DEMANDANT UNE REUNION AVEC LES REPRESENTANTS DE LA HAUTE-COMMISSION ALLIEE (POL/RDP/M(50)2 - Conclusion 49 c)

Le Président rend compte que le 31 Janvier 1950 des représentants de l'O.I.R. se sont rencontrés avec, d'une part le Comité des Affaires Politiques et d'autre part le Comité Juridique pour discuter avec eux, respectivement, les problèmes suivants :

a) Accord de Londres sur le document de voyage d'Octobre 1946.

b) Accession du Gouvernement Fédéral Allemand à la Convention Internationale de 1933 relative au Statut

international/

C O N F I D E N T I E L

international des Réfugiés.

LE SOUS-COMITE

(54) b) i) Prend note du document MEMORANDUM/POL/(50)4 rendant compte de la réunion avec le Comité des Affaires Politiques, et,

ii) Prend note de ce qu'il avait été décidé à la réunion avec le Comité Juridique de constituer un Groupe de Travail pour examiner, lorsqu'il lui aurait été soumis, le document que l'Officier de l'O.I.R. est en train de préparer sur la Convention de 1933.

c) EX-PRISONNIERS DE GUERRE ALLEMANDS INTERNES EN ESPAGNE POL/RDP/M(50)2 Conclusion 49 f)

A sa dernière réunion, le 3 Février 1950, le Comité des Affaires Politiques a décidé de référer cette question au Sous-Comité des Réfugiés et Personnes Déplacées en lui donnant pour instructions de tenir la Mission Espagnole informée des développements ultérieurs.

LE SOUS-COMITE

(54) c) i) Prend note de la décision du Comité des Affaires Politiques.

ii) Prie le Délégué Français de poursuivre les négociations nécessaires à la conclusion des arrangements pour le transfert en Allemagne des ex-P.G. Allemands actuellement en Espagne.

iii) Prend note de la déclaration du Président concernant une communication reçue sur cette question de l'Ambassadeur Américain à Madrid.

54. d) FONCTIONS DU C.R.X. en OPPOSITION AVEC LES ATTRIBUTIONS de l'O.T.C. (POL/RDP/M(50)2 Conclusion 49 h)

LE SOUS-COMITE

(54) d)- i) Prend note de la réception d'une lettre de l'O.T.C.(POL/RDP/SEC/(50)8) en réponse à POL/RDP/SEC (49)2.

ii) Décide d'informer l'O.T.C. que des représentants de cet organisme seraient les bienvenus à une prochaine réunion du Sous-Comité en vue

9 Février 1950 POL/RDP/M(50) 3

cette nature empiètent sur les pouvoirs réservés aux Autorités d'Occupation en vertu du paragraphe 24) du Statut d'Occupation.

56. RECENSEMENT DES ALLEMANDS DISPARUS DEVANT ETRE ENTREPRIS PAR LE MINISTERE FEDERAL DES REFUGIES DU 6 au 11 MARS 1950

Le Délégué Français déclare que des plans ont été préparés par le Ministère des Réfugiés pour obtenir des renseignements concernant les catégories suivantes :

a- PG Allemands qui ne sont pas rentrés de captivité.

b- Allemands que l'on estime retenus comme internés civils hors d'Allemagne.

c- Allemands qui ont été cités devant un Tribunal ou qui ont comparu devant un Tribunal ou qui ont été condamnés ou qui se trouvent en prévention en rapport avec les crimes de guerre.

Le Délégué Français déclare, en outre, qu'il avait demandé au Ministère des Réfugiés de plus amples renseignements concernant cette question dont il fera part aux autres membres lorsqu'il les aura obtenus.

LE SOUS-COMITE

(56) a) Prend note des déclarations du Délégué Français.

b) Décide de remettre la discussion de cette question en attendant de recevoir de plus amples renseignements.

57.- DATE de LA PROCHAINE REUNION : 21 FEVRIER 1950 à 11 heures

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Refugee and Displaced Persons Branch,
Office of the U.K. High Commissioner,
WAHNERHEIDE. BAOR. 19.

Tel: WAHNERHEIDE 332

23rd February 1950

To: Office of the Manpower Adviser, Wahn.
Office of the Public Health Adviser, Bad Salzuflen,
Office of the Educational Adviser, Bielefeld,
Office of the Religious Affairs Adviser, Bunde

Subject: Sub-Committee for Refugees and DPs

Attached for your information is a copy of POL/RDP/M(50)3.

for Director
Refugee and DP Branch

Copies to:
G.A. Deane Esq., Zone Statistical Office, Minden
J.R. White Esq., Public Opinion Research Office, Bielefeld
Manpower Division, Housing Branch, Lemgo
Combined Travel Board, 65 MG., CCG(BE), Herford
Miss R. Ostermann, Women's Affairs, GPB., Berlin
Chancery, External Affairs Branch, Bonn
Office of the Land Governmental Officer, HQ. Dusseldorf, NR/W
" " " " " " HQ. Hannover, N/S
" " " " " " HQ. Kiel, S/H
" " " " " " HQ. Hansestadt Hamburg
Central Registry, Bonn
Office of the Chief of Staff, Lubbecke
U.K. Secretary, Political Affairs Committee, ACSEC, Petersberg
Registrar, ACSEC, Petersberg

Decisions 53 - 57

February 9, 1950 POL/RDP/M(50)3

SUB-COMMITTEE FOR REFUGEES AND DISPLACED PERSONS

MINUTES

of the

Seventh Meeting

held at Petersberg at 1430 hours
on Thursday, February 9,1950

Present:

Mr. Swope, U.S. (Chairman)
Dr. Meillion, France
Mr. Logan-Gray, U.K.

Others Present:

U.S.	France	U.K.
Mr. Weisz	Mr. Klein	Miss Lacey
Mr. Lawrence	Mr. Hennin	

Decisions 53 - 57

February 9, 1950 POL/RDP/M(50)3

53. CONFIRMATION AND SIGNATURE OF MINUTES OF PREVIOUS MEETING
POL/RDP/M(50)2

THE SUB-COMMITTEE

(53) Confirmed and signed the minutes of the previous meeting

54. POINTS ARISING FROM PREVIOUS MINUTES

(a) Care and Treatment of non-German political refugees in Western Germany. POL/RDP/M(50)2 Minute 49, (b)

The U.S. member circulated a new draft paper on the above subject. After discussion it was realized that there are certain fundamental differences in the points of view of the various members with regard to this problem.

THE SUB-COMMITTEE

(54) (a) (i) agreed to study the paper further and,

(ii) agreed to present their different points of view at the following meeting so that they could be consolidated in one paper and forwarded to Political Affairs Committee.

(b) Letter from IRO requesting a meeting with officials of the Allied High Commission.
POL/RDP/M(50)2 Minute 49 (c)

The chairman stated that on January 31, 1950 representatives of the IRO had met with both the Political Affairs Committee and the Law Committee to discuss with them respectively the following matters:

a. The London Travel Agreement of October 1946

b. Accession of German Federal Government to the International Convention of 1933 relating to International Status of Refugees.

THE SUB-COMMITTEE

(54) (b) (i) took note of POL/MEMO(50)4 reporting the meeting with Political Affairs Committee

(ii) noted that it had been agreed at the meeting with the Law Committee to form a working party to consider the paper being prepared by the IRO Liaison Officer concerning the Convention of 1933 when it is submitted

(c) German Prisoners of War in Spain
POL/RDP/M(50)2 Minute 49 (f)

At its last meeting on February 3, 1950 the Political Affairs Committee agreed to refer this matter to the Sub-Committee on Refugees and Displaced Persons with instructions to keep the Spanish Mission informed of further developments.

THE SUB-COMMITTEE:

(54) (c) (i) Took note of the decision by the Political Affairs Committee

(ii) requested the French member to continue the necessary negotiations for concluding the arrangements for the transfer to Germany of the German Prisoners of War in Spain.

(iii) took note of the statement by the chairman concerning a communication on the subject received from the American Embassy at Madrid

(d) Functions of CRX as opposed to the terms of reference of CTB
POL/RDI/M(50)2, Minute 49 (h)

THE SUB-COMMITTEE

(54) (d) (i) noted the receipt of a letter from the CTB (POL/RDI/SEC(50)8) in reply to POL/RDI/SEC(49)2.

(ii) agreed to inform the CTB that a representative or representatives of that agency will be welcomed at a future meeting of the Sub-Committee for the purpose of discussing this matter.

(e) Future of International Tracing Service
POL/RDI/M(50)2 Minute 49(j)

The chairman stated that information had been received from ITS to the effect that an unofficial contact with the German Red Cross Tracing Service had revealed that the plans were being made by the Germans for assuming the field tracing of foreigners currently undertaken by ITS.

THE SUB-COMMITTEE

(54) (e) (i) noted the statement by the chairman

(ii) noted the receipt of a letter from ITS (POL/RDI/SEC(50)9) replying to POL/RDI/SEC(50)5.

(iii) noted a statement from the French Member that he would prepare a document containing his recommendations for the future of ITS.

(f) Statement to be made by the Allied High Commission to the Federal Government on the effect of the curtailment in the responsibilities of the IRO. POL/RDI/M(50)2 Minute 51, (a)

THE SUB-COMMITTEE

(54) (f) (i) noted that the paper POL/RDI/A(50)1 had been approved with certain amendments by the Political Affairs Committee on February 3, 1950 and by the Council of the High Commission on February 9, 1950. (AGSEC(50)240 refers)

(g) Accreditation of IRO Special Liaison Officer to the Allied High Commission POL/RDI/M(50)2 Minute 51, (b)

THE SUB-COMMITTEE

(54) (g) took note of the dispatch of AOL/RDA/SEC(50)7

(h) European Migration. AOL/RDA/M(50)a, Minute 51, (c)

THE SUB-COMMITTEE

(54) (h) (i) agreed that each member should endeavour to secure more information regarding the consideration being given this subject by OEEC.

(ii) took note of the establishment of a special emigration office in Bremen under the Federal Ministry of Interior.

55. FORMATION OF A DEPARTMENT WITHIN THE FEDERAL MINISTRY FOR REFUGEES TO DEAL WITH MATTER PERTAINING TO GERMANS OUTSIDE OF GERMANY.

The French member pointed out that on February 2, 1950, the Bundestag passed a resolution calling upon the Federal Government to establish a Department or Section to obtain information concerning, and render such assistance as may be possible to Germans residing outside of Germany. This Section would come within the competence of the Federal Ministry for Refugee Affairs.

THE SUB-COMMITTEE

(55) agreed that the duty chairman should approach the Federal Ministry to obtain further information regarding this matter and should remind the Federal Ministry informally that matters of this nature are bordering upon the powers reserved to the Occupation Authorities under para 2 c of the Occupation Statute.

56. CENSUS OF MISSING GERMANS TO BE UNDERTAKEN BY THE FEDERAL MINISTRY FOR REFUGEES FROM MARCH 6 to MARCH 11, 1950.

The French member stated that plans have been prepared by the Refugee Ministry to ascertain information concerning the following:

a. German Prisoners of War who have not returned from captivity.

b. Germans who are believed to be civilian internees outside of Germany.

c. Germans who have been summoned to court or who have appeared before a court, or who have been sentenced, or are in pre-trial confinment in connection with war crimes.

The French member further stated that he had requested the Refugee Ministry for more information regarding this matter which he will give to the other members when it was forthcoming.

THE SUB-COMMITTEE

(56) (a) took note of the statements of the French member.

(b) agreed to defer discussion of this matter pending the receipt of more information.

57. DATE OF THE NEXT MEETING

February 21, 1950 at 1100 hours.

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C O N F I D E N T I E L

15 FEVRIER 1950 POL/RDP/AGENDA(50)4

HAUTE - COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

ORDRE DU JOUR

(276)

de la Huitième Réunion

qui aura lieu le 21 Février à BONN-PETERSBERG à 11 H.00

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1. CONFIRMATION ET SIGNATURE DU PROCES-VERBAL DE LA REUNION PRECEDENTE (POL/RDP/M(50)3)

2. POINTS RESULTANT DES SEANCES PRECEDENTES :

a)- Assistance et entretien des Réfugiés Politiques non Allemands en Allemagne Occidentale (POL/RDP/M(50)3 Conclusion 54 a)-)

b)- Lettre de l'O.I.R. proposant une réunion avec des représentants de la Haute-Commission Alliée.- (POL/RDP/M(50) 3 - Conclusion 54 b) -)

c)- Allemands internés en Espagne (POL/RDP/M(50)3 - Conclusion 54 c) -)

d)- Fonctions du CRA en opposition avec les attributions du CTB (POL/RDP/M(50)3-Conclusion 54 d) -)

e)- Avenir du Service International de Recherches (POL/RDP/M (50)3 - conclusion 54 e) -)

f)- Emigration hors d'Europe- (POL/RDP/M(50)3 Conclusion 54h)

g)- Formation au sein du Ministère Fédéral des Réfugiés d'un département chargé de traiter les questions relatives aux Allemands hors d'Allemagne.(POL/RDP/M(50)3 Conclusion 55)

CIN 9174
20 FEB 1950
CTB

C O N F I D E N T I E L

C O N F I D E N T I E L

15 FEVRIER 1950 POL/RDP/AGEND.(50)4

h)- Recensement des disparus Allemands entrepris par le Ministère Fédéral des Réfugiés (POL/RDP/M(50)3 Conclusion 56)

3.- LETTRE DU GOUVERNEMENT ITALIEN CONCERNANT DES ALLEMANDS EN ITALIE (AGSEC(50)87)

4.- REFUGIES ALLEMANDS ET NON-ALLEMANDS A BERLIN (Secteurs Occidentaux)

5.- TRAITEMENT A RESERVER AUX PERSONNES DEPLACEES QUI RETOURNENT EN ALLEMAGNE ILLEGALEMENT APRES AVOIR ETE REETABLIES.

6.- ADMISSION DE RESSORTISSANTS ALLEMANDS AU CANADA.-

7.- CONTACTS ENTRE FONCTIONNAIRES DE L'O.I.R. et AGENCES GOUVERNEMENTALES ALLEMANDES.

8.- QUESTIONS DIVERSES.

-:-

C O N F I D E N T I E L

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C O N F I D E N T I E L

21 JANVIER 1950

POL/RDP/SEC(50)5

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS COMITE DES REFUGIES & PERSONNES DEPLACEES

Destinataire :

M. THUDICHUM
Directeur du Service International
des Recherches
APO 171 - US ARMY
Allemagne

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OBJET : Utilisation du recensement Allemand de 1950 pour permettre de retrouver les enfants alliés non accompagnés en Allemagne.-

J'ai l'honneur de vous informer que votre lettre avec ses annexes I à IV en date du 30 Décembre 1949 adressée individuellement aux trois Hauts-Commissaires, a été remise au Sous-Comité des Réfugiés et Personnes Déplacées pour examen lors de sa réunion du 25 Janvier 1950.

Le contenu de votre lettre a été intégralement discuté et le Sous-Comité a finalement décidé, afin de permettre un examen plus complet de la question, de vous demander de fournir des listes à jour des demandes en instance de la part de parents vivant hors d'Allemagne pour le retour d'enfants des Nations Unies supposés vivre en Allemagne Occidentale, et aussi de la part d'enfants des Nations Unies recherchant leurs parents.

Il serait très apprécié, s'il vous était possible, de fournir ces renseignements à temps pour la prochaine réunion du Sous-Comité qui doit se tenir le 9 Février 1950.

D. LOGAN - GRAY

Président en Exercice
du
Sous-Comité des Réfugiés et
Personnes Déplacées

20 FEB 1950
CTB

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C O N F I D E N T I E L

31 Janvier 1950 POL/RDP/SEC(50)7

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES & PERSONNES DEPLACEES

Destinataire :

M.J.D.R.KELLY
Officier de Liaison Spéciale
de l'Organisation Internationale
des Réfugiés.
Bureau des Transports & Communications - APO 757 - Francfort

J'ai l'honneur de vous accuser réception de votre lettre adressée au Sous-Comité des Réfugiés et Personnes Déplacées en date du 24 Janvier à laquelle était jointe une copie des instructions que vous aviez reçues du Directeur Général de l'O.I.R. concernant votre accréditement en tant qu'Officier Spécial de Liaison de l'O.I.R. auprès du Haut-Commissariat allié.

Le Sous-Comité a pris note de votre lettre lors de sa dernière réunion du 25 Janvier et je suis chargée de vous informer que le Sous-Comité est la voie par laquelle toute approche du Gouvernement Fédéral Allemand ou de quelque autre organisme subordonné de ce Gouvernement doit être effectuée.

D.M. LACEY

Secrétaire en Exercice

Copie, pour information, à
Secrétaire en Exercice du
Comité des Affaires Politiques

CIN 9181
20 FEB 1950
CTB

S E C R E T

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13 Février 1950 HICOM/IRO/M(50)I

PROCES-VERBAL

de la

Ière REUNION

de la

HAUTE COMMISSION ALLIEE

avec

LES REPRESENTANTS DE L'ORGANISATION INTERNATIONALE DES REFUGIES

tenue à BONN-PETERSBERG, le 9 Février 1950,

à 12 heures 45.

ETAIENT PRESENTS

Mr. McCLOY (Président)
M. BERARD
Mr. STEEL
Mr. KINGSLEY

AUTRES PERSONNES PRESENTES

ETATS-UNIS	FRANCE	ROYAUME-UNI	DELEGATION DE L'OIR
Major Général HAYS	M. SIROUX	Mr. O'NEILL	M. MEYER-COHEN
Mr. RIDDLEBERGER	M. MEILLON	Mr. LOGAN-GRAY	M. W.W. COX
	M. de LATOUR		M. KULLY
			Général FRENSHAM
			M. RYAN
			M. POIGNANT

CIN 9241
21 FEB 1950
CTB

Secrétariat

J.E. SLATER
G.P. GLAIN
W. NEATE

Note du Secrétariat: Ce Procès-Verbal est adopté par le Secrétariat Général Allié et ne sera pas oumis au Conseil pour confirmation.

(Points I à 5 inclus)

S E C R E T

S E C R E T

HICOM/IRO/M(50)I

PROCES-VERBAL

de la

Ière REUNION

de la

HAUTE COMMISSION ALLIEE

avec

LES REPRESENTANTS DE L'ORGANISATION INTERNATIONALE DES REFUGIES

tenue à BONN-PETERSBERG, le 9 Février 1950,

à 12 heures 45.

I.-LETTRE AU CHANCELIER FEDERAL SUR LA REDUCTION DES RESPONSABILITES DE L'ORGANISATION INTERNATIONALE DES REFUGIES-

Après avoir porté à la connaissance de M. Kingsley la lettre AGSEC(50)240 devant être adressée par le Conseil au Chancelier sur la réduction des responsabilités de l'Organisation Internationale des Réfugiés, le Président invite M. Kingsley à soumettre aux Hauts Commissaires toutes les questions pour lesquelles il estime que leur assistance pourrait s'avérer nécessaire.

2.-DECLARATION DU SECRETAIRE GENERAL DE L'OIR-

M. Kingsley soulève les questions suivantes:

a)-Fraction résiduelle des personnes déplacées devant rester en Allemagne après la fin des travaux de l'Organisation Internationale des Réfugiés-

Bien que le réétablissement des personnes déplacées se soit poursuivi jusqu'à ces 7 ou 8 derniers mois à un rythme élevé et que l'on s'attende encore à transférer hors d'Allemagne un nombre important de personnes déplacées avant la conclusion des travaux de l'OIR, il restera encore environ 200.000 personnes déplacées en Allemagne une fois terminée l'activité de l'OIR. La question du statut juridique de ces personnes déplacées est importante et urgente; l'envoi de la lettre du Conseil au Chancelier représente par suite une action heureuse.

.../...

S E C R E T

b)-Obligations du Gouvernement Fédéral Allemand envers les réfugiés et personnes déplacées-

Il est souhaitable que le Gouvernement Fédéral Allemand souscrive certains engagements internationaux en ce qui concerne ses responsabilités vis à vis des réfugiés et des personnes déplacées; du fait qu'une nouvelle Convention des Nations-Unies ne pourrait vraisemblablement pas être prête pour ratification avant 1952, les Hauts Commissaires sont priés de bien vouloir entrer prochainement en rapport avec le Gouvernement Fédéral en vue d'obtenir son adhésion à la Convention de 1933.

c)-Proposition concernant l'envoi d'une directive du Gouvernement Fédéral aux Autorités des Länder-

Il est souhaitable que le Gouvernement Fédéral fasse aux Gouvernements des Länder une communication comportant les points ci-après:

(i)-faire apparaître la responsabilité des Autorités de l'Allemagne Occidentale vis à vis des personnes déplacées qui resteront en Allemagne;

(ii)-donner aux Autorités des Länder l'assurance que des mesures seront prises pour parvenir à une péréquation des charges financières entraînées par l'entretien et le réétablissement des personnes déplacées;

(iii)-charger les Autorités des Länder et les Autorités Locales de collaborer à leur niveau avec les Représentants locaux de l'OIR pour l'établissement et l'identification des groupes spéciaux de personnes déplacées qui resteront en Allemagne après la fin des activités de l'OIR.

d)-Statut des Organisations bénévoles collaborant avec l'organisation internationale des réfugiés-

En raison de l'aide que les organisations bénévoles apportent à l'organisation internationale des réfugiés, plus particulièrement pour les parties de ses travaux qui concernent le réétablissement et l'assistance sociale, les Hauts Commissaires pourraient peut-être examiner s'il ne conviendrait pas de permettre aux organisations bénévoles de bonne foi travaillant dans ce cadre de continuer à recevoir l'assistance du budget des frais d'occupation jusqu'à la fin des travaux de l'OIR.

e)-Service International des Recherches et Programme de Recherche des Enfants-

L'OIR n'a prévu dans son budget aucun crédit pour la période postérieure à Juin 1950, ni pour le fonctionnement du Service International des Recherches, ni pour le programme

.../...

de recherche des enfants. Etant donné le caractère que présentent leurs dossiers du point de vue sécurité, la Haute Commission Alliée est priée d'examiner si elle serait en principe disposée à accepter que les archives de ces deux services lui soient transférées avec la mission d'en conserver les dossiers en même temps que la responsabilité financière.

f)-Problèmes administratifs-

(i)-En raison des réductions apportées aux effectifs et des difficultés qui en résultent pour conserver trois directions de Zone, l'OIR étudie l'établissement d'une direction centrale pour l'Allemagne;

(ii)-Le transfert de Naples à Bremerhaven du pont d'embarquement des personnes déplacées allant s'établir en Australie étant envisagé, l'Organisation Internationale des Réfugiés pourrait avoir à demander l'autorisation de conserver en Allemagne certaines installations dont on pensait jusque là qu'elles seraient remises à la disposition des Autorités d'Occupation dans les deux ou trois mois à venir;

(iii)-Dans la période actuelle qui se termine avec la fin des travaux de l'OIR, il s'avère extrêmement difficile de conserver le personnel et pour cette raison il est demandé que les membres du personnel de l'OIR continuent à être assimilés au personnel d'Occupation en ce qui concerne les privilèges et les prestations dont ils bénéficient actuellement.

3;-REPONSE DES HAUTS COMMISSAIRES-

Les Hauts Commissaires répondent par les déclarations suivantes:

a)-Prise en charge par le Gouvernement Fédéral de la responsabilité des personnes déplacées à partir de la fin des activités de l'OIR-

Les Hauts Commissaires ont prévu de faire une communication au Gouvernement Fédéral sur ce point. Les questions soulevées par Mr. Kingsley en ce qui concerne les assurances à demander aux Allemands et la nécessité de la coopération à l'échelon local seront traitées avec les Autorités allemandes.

b)-Adhésion de la République Fédérale à la Convention de 1933-

Les Hauts Commissaires admettant qu'il est désirable que le Gouvernement Fédéral assume les obligations internationales dans le domaine envisagé et la question est en cours d'examen devant un Groupe d'Etudes auquel l'OIR est représentée.

L'adhésion du Gouvernement Fédéral à cette Convention n'est pas sans présenter certaines difficultés. L'OIR sera tenue au courant de la marche de ces travaux.

c)-Sociétés bénévoles-

Si l'OIR veut bien faire connaître à la Haute Commission celles de ces organisations bénévoles qu'elle recommande parmi celles qui continuent à participer actuellement à l'assistance aux personnes déplacées, des mesures pourront être prises pour leur permettre de continuer à bénéficier de l'assistance des Autorités Alliées.

d)-Service International des Recherches-

La question de la poursuite de ces travaux, de la destinations à donner aux archives et de l'aide financière nécessaire à l'organisme pourra être examinée par la Réunion qui étudie la question du transfert des attributions de l'OIR.

e)-Prestations au profit du personnel de l'OIR-

Le Président fait remarquer que postérieurement au Ier Juillet 1950, par suite d'une décision générale prise par la Haute Commission, tous les ressortissants non-allemands individuellement attachés à toute organisation telle que l'OIR seront invités à régler le prix du logement et autres facilités dont ils bénéficient actuellement. Les Commissaires de Land détermineront dans chaque cas dans quelle mesure des installations réquisitionnées et autres facilités seront accordées.

f)-Embarquement à Bremerhaven des personnes déplacées se rendant en Australie-

L'embarquement à Bremerhaven des personnes déplacées se rendant en Australie paraît être une formule acceptable pour les personnes déplacées vivant actuellement en Allemagne. La situation est différente pour celles en provenance d'autres pays, l'Autriche par exemple, et la question devra faire l'objet d'un examen.

4.-UTILISATION EN ALLEMAGNE D'UNE PARTIE DES FONDS DE L'IRO DESTINES A L'IMPLANTATION DU "HARD CORE" DES PERSONNES DEPLACEES-

En réponse à une question du Haut Commissaire adjoint français, M. Kingsley déclare que des 22 millions de dollars destinés par l'IRO à cette opération, rien n'est prévu pour être dépensé en Allemagne. Ces fonds seront seulement utilisés pour le réétablissement hors d'Allemagne.

.../...

5.-ETUDES PAR LES EXPERTS-

Il a été décidé que tous les points de détail soulevés par Mr. Kingsley seraient examinés plus à fond par les experts alliés et ceux de l'OIR travaillant sur ces problèmes.

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15 Février 1950 POL/RDP/SEC(50)8

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

OFFICE TRIPARTITE DE LA CIRCULATION
Herford
APO 757 - U.S. Army
Tél. Herford 2941.Ext.2 24 Janvier 1950

DESTINATAIRE :
Secrétariat du S/Comité des Réfugiés
et Personnes Déplacées
Haute-Commission Alliée pour l'Allemagne.

OBJET : Relations entre l'OTC et le CRX.

REF : V/Document POL/RDP/SEC(49)2

1. - L'Office Tripartite de la Circulation a examiné la lettre jointe en annexe 2 à votre lettre citée en référence. Tout en étant d'accord dans les grandes lignes sur le fait que notre opinion relative au partage des responsabilités concorde avec la vôtre, nous pensons que la ligne de partage est plus clairement fixée dans la lettre émanant de l'Office Tripartite de la Circulation qui a été communiquée par le Délégué Britannique de votre Comité.

2. - Nous préférerions donc voir notre première proposition adoptée en tant que document approuvé. Au cas où vous pensez ne pas pouvoir donner votre accord, nous suggèrerions une réunion entre vos représentants et des représentants de l'Office Tripartite de la Circulation de manière que nous puissions discuter intégralement cette question et établir un document définitivement approuvé.

Pour l'Office Tripartite de
la Circulation
Signé : ILLISIBLE
Secrétaire de l'O.T.C.

Copie au Secrétariat du
Comité des Affaires Politiques.

C_O_N_F_I_D_E_N_T_I_E_L

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C_O_N_F_I_D_E_N_T_I_E_L

15 Février 1950 POL/RDP/SEC(50)9

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

Service International
de Recherches
Branche des Recherches d'Enfants
APO 154 US Army - Germany

7 Fevrier 1950

REF : CS 60/0/2

SUJET : Utilisation du Recensement général de 1950 en Allemagne pour retrouver dans ce pays des enfants alliés non accompagnés.

A : Mr. D. MOGAN-GRAY
Président
S/Comité Tripartite des Réfugiés et Personnes Déplacées.

A l'attention de Mr. E.W. LAWRENCE, Conseiller pour les Réfugiés et l'Aide Sociale.

1 - Nous référant à votre lettre en date du 31 Janvier 1950 qui est parvenue au Service International des Recherches le 6 Février, nous avons donné par téléphone, à Mr.LAWRENCE, Conseiller pour les questions de Réfugiés et d'Aide Sociale, les renseignements demandés. Comme Mr.LAWRENCE nous l'a demandé,nous vous confirmons ces renseignements par la présente lettre.

2 - Dans les statistiques ci-jointes, Annexe I, vous trouverez dans la colonne 1 une liste des demandes formulées par des parents qui recherchent leurs enfants; dans la colonne 2 une liste des demandes formulées par des Agences volontaires ou par des services nationaux de recherches, cas pour lesquels notre service ne sait pas si les demandes d'enquêtes sont faites au nom des parents; dans la colonne 3 se trouve un total de demandes d'enquêtes, non solutionnées, des deux catégories ci-dessus. Nous regrettons de ne pouvoir vous fournir comme vous le demandez le nombre de parents qui recherchent leurs enfants mais nous nous sommes tenus à deux catégories, parents ou "pas parents". Pour chaque cas, la nationalité est présumée et basée sur les découvertes de la première investigation. A la suite de nouvelles investigations, la nationalité peut changer dans un certain nombre de cas. Il convient de faire particulièrement attention à ceci en ce qui concerne les nationalités des autorités

/d'Occupation

C_O_N_F_I_D_E_N_T_I_E_L

I5 Février I950 POL/RDP/SEC(50)9

d'Occupation, Américaines, Britanniques et Francaises. Il est fortement à présumer qu'après de subséquentes investigations quelques uns de ces enfants s'avèreront être des Allemands anciennement mascottes de l'Armée.

3 - Vous demandiez en outre que l'on vous fasse connaitre combien d'enfants se trouvant dans les trois Zones Occidentales d'Allemagne cherchent encore leurs parents. Nous vous avons donné à l'Annexe II les renseignements provenant de notre dossier de cas en instance. Toutes les statistiques présentées sont établies à la date du Ier Janvier I950.

4 - Nous espérons que les renseignements fournis satisferont à votre demande. Au cas où vous auriez besoin de renseignements supplémentaires quelconques lors de la réunion de demain, nous serions trop heureux de vous les communiquer par téléphone. Dans ce cas, veuillez appeler Stuttgart I9025 et demander le soussigné.

POUR LE DIRECTEUR,
SERVICE INTERNATIONAL DES RECHERCHES,

/s/ Herbert H. Meyer,
Chef de la Section des Recherches d'Enfants.

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C O N F I D E N T I E L

15 Février 1950

POL/RDP/SEC(50)9

ANNEXE I

DEMANDES MISES A L'ENQUÊTE ET NON RÉGLÉES LE 1ER JANVIER 1950

Nationalité Présumée	Parents recherchant leurs enfants	Agences bénévoles ou bureaux nationaux de recherches recherchant des enfants	TOTAL
Albanais	4	-	4
Américains	20	-	20
Arméniens	I	-	I
Autrichiens	I4	-	I4
Belges	3I	2	33
Britanniques	4	-	4
Byelorusses	I7	-	I7
Canadiens	4	-	4
Tchèques	262	49	3II
Danois	6	-	6
Hollandais	77	-	77
Estoniens	7	-	7
Francais	98	8	I06
Allemands	2I0	-	2I0
Grecs	I4	-	I4
Guatémalièques	I	-	I
Hongrois	I57	5	I62
Italiens	566	I2	578
Lettons	52	-	52
Lithuaniens	23I	-	23I
Luxembourgeois	I	-	I
Norvégiens	9I	-	9I
Polonais	9722	324I	I2963
Roumains	80	-	60
Russes	I90	II	20I
Espagnols	3	-	3
Ukrainiens	64	-	64
Yougoslaves	540	96	636
Apatrides	69	-	69
Indéterminés	3005	-	3005
TOTAL	I552I	3424	I8945

C_O_N_F_I_D_E_N_T_I_E_L

I5 Février I950

POL/RDP/SEC(50)9
ANNEXE II

CAS NON RESOLUS AU Ier JANVIER I950

Nationalité présumée	Enfants localisés en Allemagne et dont on recherche les parents
Albanais	I
Algériens	2
Américains	I9
Arméniens	I
Autrichiens	50
Belges	I3
Britanniques	I7
Bulgares	4
Byelorusses	4
Colombiens	I
Costarica	I
Tchèques	555
Danois	9
Hollandais	22
Estoniens	63
Francais	59
Allemand	I64
Grecs	36
Guatémaltèques	I
Hongrois	495
Irlandais	I
Italiens	23
Lettons	97
Lithuaniens	I07
Luxembourgeois	5
Mexicains	2
Norvégiens	I9
Polonais	I793
Roumains	226
Russes	96
Suisses	4
Ukrainiens	296
Venezuela	6
Yougoslaves	290
Apatrides	86
Indéterminés	I3I8
TOTAL	5887

C_O_N_F_I_D_E_N_T_I_E_L

C O N F I D E N T I E L

14 Février 1950 POL/RDP/SRC(50)10

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

DESTINATAIRE : Secrétariat de l'Office Tripartite de la Circulation.
Herford APO 757, U.S. Army

O B J E T : Relations entre l'OTC et le CRX.

Lors de sa septième réunion qui s'est tenue le 9 Février le Sous-Comité des Réfugiés et Personnes Déplacées a discuté des fonctions de l'Office Interallié de Rapatriement (CRX) qui, seraient en conflit avec les attributions de l'Office Tripartite de la Circulation. Après avoir examiné la lettre de l'Office Tripartite de la Circulation en date du 24 Janvier 1950, le Sous-Comité a décidé d'informer l'OTC qu'un représentant ou que des représentants de cette agence seront les bienvenus à une prochaine réunion du Sous-Comité en vue de discuter de cette question.

EDWARD W. LAWRENCE
Secrétaire en Exercice

COPIE au : Secrétariat
Comité des Affaires Politiques
Wahnerheide
BAOR 19,

C O N F I D E N T I E L

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C O N F I D E N T I E L

21 Janvier 1950

POL/RDP/P(50)H
diffusion limitée

HAUTE-COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

SOUS-COMITE DES REFUGIES ET PERSONNES DEPLACEES

(Document Américain)

TRAITEMENT DES PERSONNES DEPLACEES QUI REVIENNENT ILLEGALEMENT EN ALLEMAGNE APRES LEUR REETABLISSEMENT.

Récemment, des petits groupes de Personnes Déplacées qui ont été réétablies dans d'autres pays sont revenus illégalement en Allemagne, en dépit de l'existence d'une procédure adéquate pour le retour des personnes inaptes au réétablissement, retour pour lequel les autorités d'Occupation ont donné leur accord.

Le fait d'accepter le retour de ces personnes sans que les Autorités d'Occupation n'intentent une action légale à leur encontre semblerait menacer le succès du programme de réétablissement dans son ensemble : en effet, l'acquiéscement à leur retour impliquerait que les Personnes Déplacées quel que soit leur lieu de réétablissement, auraient le droit de revenir en Allemagne sans qu'il leur soit nécessaire d'obtenir le consentement des Autorités d'Occupation.

Il serait possible de faire passer en jugement les Personnes Déplacées qui, après avoir été réétablies, retournent illégalement en Allemagne, en se référant à la loi N. 161 du Gouvernement Militaire relative à l'entrée illégale en Allemagne; lorsque la culpabilité sera établie, un sursis pourrait être accordé, à charge pour les personnes incriminées de quitter l'Allemagne Occidentale avant une date donnée.

Ceci donnerait au DP condamné la possibilité de retourner dans son pays de réétablissement, de regagner sa patrie d'origine ou de chercher à entrer dans un autre pays. Au cas ou il ne chòisirait pas l'une de ces alternatives, il aurait à purger sa peine. Le fait d'apprendre qu'une mise en jugement et une condamnation étaient possibles, agirait probablement comme un frein auprès des personnes qui envisageraient le retour illégal.

/Leur

C O N F I D E N T I E L

C_O_N_F_I_D_E_N_T_I_E_L

21 Janvier 1950

POI/RDP/P(50)H
diffusion limitée

Leur peine purgée, les Personnes Déplacées condamnées pourraient être autorisées à demeurer en Allemagne sans toutefois jouir des avantages accordés aux réfugiés politiques ou Personnes Déplacées.

En conséquence, il est suggéré que le Sous-Comité étudie la possibilité de transmettre un document proposant des mesures à cet effet au Comité des Affaires Politiques afin que ce Comité les étudie, ainsi que le Sous-Comité de la Sécurité Publique et le Comité Juridique.

C_O_N_F_I_D_E_N_T_I_E_L

ZONAL EXECUTIVE INSTRUCTIONS 277 VOL.I.

FILE SEPARATOR

Form MICOG - 299
(19 Sept 50)

Combined Travel Board D

2

ZECO/939/Sec.G

ZONAL EXECUTIVE OFFICES

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 83

DATED 16TH MAY, 1949

EDUCATION OF DISPLACED PERSONS

I. INTRODUCTION

1. The object of this ZEI is to set out the procedure for ensuring that adequate arrangements are made by the German Authorities for the education of Displaced Persons.

2. Owing to the modification of our policy in the resettlement of Displaced Persons, and in the light of experience in the field, it has been found necessary to revise PI No. 8.

3. Coincident with the issue of this Instruction PI No. 8 dated 9th April, 1947, will be withdrawn.

II. RESPONSIBILITIES

4. The main principles of the policy concerning DP Education are :-

(a) The determination of the policy will remain the responsibility of Military Government which will continue to consult IRO on all matters of policy affecting DP Education. The relevant part of the present policy of His Majesty's Government as stated by the Chancellor of the Duchy of Lancaster on 19th February, 1947, is summarised as follows :-

(i) Our first aim will continue to be to encourage and assist in every possible way the early return of Displaced Persons to their countries of origin.

(ii) Insofar as they have to live and work within the German Economy they will be protected from discrimination and hostility on the part of the Germans.

(iii) The standards of living of Displaced Persons will be brought generally into line with those of the Germans.

(b) Buildings, for use as DP Schools, will be placed at the disposal of the Länder by Military Government.

(c) Länder should be required to provide facilities other than buildings, e.g. teaching staff, including all material requirements as laid down by Military Government.

(d) The cost of DP Education will be defrayed by Länder. Capitation Grants will be made to recover these costs, including a series of teachers and educational personnel, from the Mandatory Expenditure Sections of the Länder Budgets.

5. The responsibilities within the Control Commission will normally be divided as follows :-

ZECO/039/1/Sec C

Zonal Executive Offices,
CCG Lubbecke,
60 P. COC.,
BAOR 1.

21st May, 1949

To: Distribution below

SUBJECT: Zonal Executive Instructions

Attached please find ZECO/039/Sec C dated 21st May, 1949 - Zonal Executive Instructions Numerical Index, which supersedes the Numerical Index issued under ZECO/039/1/Sec C dated 15th August, 1948.

2. The index is correct to the date of this letter and will be amended from time to time as necessary.

C.O. II
for ACCS (Co-ord)
(J. [illegible])

DISTRIBUTION: Z.E.I. Standard Distribution List

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		64 (Final) entitled "Removal from Office and from positions of responsibility of Nazis and Persons Hostile to Allied purposes".		
11.	3.5.47	German Merchant Seaman's Registry.	No. 1 dated 9.9.47	M
12.	16.4.47	BW & DP Organisation.	No. 1 dated 17.11.48	G
13.	12.5.47	Families Identity Cards.	Nil	M
14.	26.11.45	Precautionary Measures against Civil Disturbances.	Nil	G
15.	29.1.48	Travel of Distressed Relatives, German Fiancees and certain compassionate categories to the United Kingdom.	Nil	G

Exec/039/Sec

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE OFFICES

ZONAL EXECUTIVE INSTRUCTION NO. 84. DATED. 7th SEPTEMBER, 1949

C.C.G. DEUTSCHEMARK IMPREST ACCOUNTS

I. INTRODUCTION

1. The object of this Z.E.I. is to transfer to Groups/Divisions and to Senior Finance Officers at Land Headquarters certain accounting functions at present undertaken by Expenditure Branch, Zonal Office of the Financial Adviser.

2. The functions transferred will fall as under:-

(a) Groups/Divisions - detailed examination and pre-audit of Imprest Accounts, expenditure from which is chargeable to Budgets controlled by them.

(b) Senior Finance Officers -

(i) reimbursement through Landeshauptkassen of sums expended from Imprest Accounts;

(ii) issue of instructions to German Finance authorities to bring to account, under the proper headings of Occupation Costs/Mandatory Expenditure, charges which have been met from Imprest Accounts.

3. The revised procedure will come into force w.e.f. 1st October 1949.

II: RESPONSIBILITIES AND PROCEDURE

4. Director of Expenditure, Zonal Office of the Financial Adviser will be the sole authority for -

(a) opening of new Imprest Accounts;

(b) determining the amount of the "float" and the rules governing expenditure therefrom;

(c) issue of any amendments to terms governing the operation of existing Imprest Accounts.

5. The Accounting Officer of each Group/Division concerned will
(a) direct his Budget Control Officer to carry out the duties and responsibilities referred to in para 7 below,

(b) notify the Senior Finance Officer of the Land in which the Main Imprest Holder is located of the name (with specimen signature) of the Budget Control Officer authorised to certify Annexure I hereto. This notification should be copied to Expenditure Branch, Zonal Office of the Financial Adviser.

6. Main Imprest Holder will submit monthly accounts to the Budget Control Officer in the form previously submitted to Expenditure Branch, as per Appendices "A" - "D" hereto. Sub-Imprest Holders will account to Main Imprest Holders as hitherto.

Secret Combined Travel Board

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EXEC/039/Econ

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

OFFICE OF THE CAO/DCOS (EXEC)

ZONAL EXECUTIVE INSTRUCTION NO: 86 DATED 10 SEPTEMBER, 1949

DISPOSAL OF BUILDINGS AND CONSTRUCTIONS IN WAR PLANTS AND MILITARY INSTALLATIONS

1. BUILDINGS AND CONSTRUCTIONS HAVING NO OBNOXIOUS FEATURES OR MILITARY CHARACTERISTICS

(i) Buildings and constructions in War Plants and Military Installations which have no obnoxious features or Military characteristics may be released to the German Authorities in the Laender once the reparations equipment has been removed and the disarmament work finished, subject only to the following conditions:-

(a) In the case of Cat. I War and Reparations plants, that they shall be used only in accordance with the rules laid down in Headquarters CCG letter HQ/2791/Sec.E dated 29th July, 1949. In the case of Military Installations, that they shall also only be used in accordance with the rules laid down in the same letter, and in addition in special cases the Land Commissioner can impose further restrictions in the interests of Security. The special cases will, however, be reported to the Office of the CAO/DCOS (Exec).

(b) That the agreement of the Decartelization Adviser's Office, the Combined Iron and Steel Control, or the Controller IG Farben, is first obtained in cases of property coming within their responsibilities.

(ii) When released as above, the German Authorities will be informed which plants will revert to private ownership, and which plants will be at the disposal of the Land Government. Disarmament Group and Property Control in the Regions possess this information.

(iii) The Land Government will be informed that all questions in regard to the disposal and future use of buildings and constructions which have no obnoxious features or Military characteristics will be a matter for their decision except as stated in paragraphs (i) and (ii) above. As soon as they are released to the Land Government, they will no longer be subject to Law 52.

2. BUILDINGS AND CONSTRUCTIONS HAVING OBNOXIOUS FEATURES OR MILITARY CHARACTERISTICS

(i) Buildings and constructions in War Plants and Military Installations having obnoxious features or military characteristics must either be destroyed or converted to the satisfaction of the Land Commissioner in accordance with the rules laid down in Headquarters CCG letters HQ/2901/Sec.E dated 27th November, 1948, and HQ/2791/Sec.E dated 24th August, 1949.

(ii) In order to give the Germans an opportunity of carrying out the necessary conversion measures the Land Government will be informed that there is no objection to long-term leases being granted, in

COMBINED TRAVEL BOARD (1)

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EXEC/039/FIN

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

AND DEPUTY CHIEF OF STAFF (EXECUTIVE)

ZONAL EXECUTIVE INSTRUCTION NO. 89 DATED 17TH, SEPTEMBER, 1949

POWERS WITH REGARD TO INVESTIGATION AND WRITE-OFF OF LOSSES OF CONTROL COMMISSION CASH & STORES

PART I - GENERAL

1. Regulations covering the financial functions of the Military Governor with particulars of delegation of write-off powers in connection with losses of cash and stores have been published in CCG Routine Order No.389 of 1948. This Instruction is in amplification of that Routine Order and lays down the detailed procedure for the exercise of the delegated powers and for the investigation of losses.

2. Powers to write-off cash losses, as detailed in Appendix "A" hereto, refer solely to governmental funds. They do NOT apply to

(a) Mess or Club funds

(b) Funds of a private or quasi-private nature

(c) Bi-partite funds, e.g., JBIA funds.

3. Authority to write-off a loss of cash or stores cannot be given by any authority lower than that specified in this Instruction as competent to deal with the total amount of the loss in question. A loss may not be dealt with piece-meal by an authority lower than that competent to deal with the loss as a whole, neither does a refund of a portion of the loss, or the promise of such refund, bring the loss within the competence of a lower authority.

PART II - DEFINITIONS

4. For the purposes of this Instruction the following definitions shall apply and all subsequent references in the body of the Instruction, as well as in the Appendices, shall be interpreted in accordance therewith.

(a) BRITISH STORES Stores of British origin, the property of HMG, and stores obtained from the German economy as a charge against Occupation Costs. The latter stores are deemed to be equally the property for the time being of HMG and they therefore fall to be dealt with under the procedure applicable to stores of British origin.

(b) GERMAN STORES Stores obtained from the German economy and charged other than as Occupation Costs, i.e., charged as Mandatory Expenditure. This covers all stores not covered by sub-para (a) above held on the charge of CCG units in Germany.

PART III - POWERS AND PROCEDURE WITH REGARD TO LOSSES OF GOVERNMENTAL FUNDS AND STORES

5. Powers with regard to losses of cash and stores are given in detail at Appendix "A". The sterling limits given in that Appendix are applicable to all British stores as defined in para 4 (a) above (DM values, where applicable, being converted at 13⅓ DM to £1 - see Appendix "C"), and, in the case of cash losses, to all cases in which actual sterling (including BAFSV) is concerned.

6. The DM limits quoted in Appendix "A" are applicable to all German stores as defined in para 4 (b) above, and, in the case of cash losses, to those involving actual DM. German stores will not be made the subject of any conversion calculation.

(COMBINED TRAVEL BOARD)

Exec/039/Sec

6

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER AND
DEPUTY CHIEF OF STAFF (EXECUTIVE)

ZONAL EXECUTIVE INSTRUCTION NO. 90

DATED 22ND SEPTEMBER, 1949.

26.9.49

OCCUPATION COSTS AND MANDATORY EXPENDITURE
POWERS OF TRANSFER AND APPLICATIONS
FOR SUPPLEMENTARY ESTIMATES

(this ZEI cancels ZEI 82 of 25 April 1949)

1. POWERS OF TRANSFER

1. Approved estimates of Occupation Costs and Mandatory Expenditure are classified as grants and are dealt with separately. Re-appropriations and also transfers within and between these two grants may not be effected without the approval of the appropriate authority as defined below. The procedure outlined in this Instruction applies both to the Services and CCG.

2. Transfers between Occupation Costs and Mandatory Expenditure

Such transfers may be effected only with the consent of the High Commissioner. Applications supported by detailed reasons in justification of proposed changes will be submitted and dealt with as follows:-

(a) Services - Applications to be addressed to the Assistant Financial Adviser (Exec), Zonal Office of the Financial Adviser, Minden, for co-ordination and transmission to the Financial Adviser for presentation to the High Commissioner. Copies should be sent to the CAO/DCOS (Exec) in cases where the proposal affects or interests CCG.

(b) CCG - Applications to be addressed to Finance Branch, Office of the CAO/DCOS (Exec), Lubbecke, with copies to the Assistant Financial Adviser (Exec).

3. Re-appropriations and transfers within each grant, (i.e., Occupation Costs or Mandatory Expenditure) but between the Services and CCG.

The total amount allotted within each grant to each of the Services and the CCG may be altered in the form of transfers between those allotments only with the approval of the Chief of Staff to the High Commissioner. Applications will be submitted as indicated in para 2 above except that at the final stage the Financial Adviser will present them to the Chief of Staff instead of to the High Commissioner.

4. Re-appropriations and transfers within each approved grant and within each allotment to the Services and CCG.

Re-appropriations and transfers within each Service and CCG allotment, excluding changes covered by para 3 above, will be subject to the approval of the Service Commander for each Service and of the CAO/DCOS (Exec) for the CCG. Applications by CCG Units will be submitted in accordance with para 2(b) above. So far as CCG is concerned, transfers of provisions between Purposes within a Divisional/Branch grant will also require the approval of the CAO/DCOS (Exec).

/5.

(7)

Ext: 2327

12 OCT 1949

Administrative Commandant's Office,
Z.E.C.O. Area,
Bunde,
B.A.O.R.(1)

ZECO/COMD/5301/Maint.B.2

12 October, 1949

Distribution listed below

Subject: Procedure for Submission of Applications to Write-Off C.C.G. Cash and Stores, within ZECO Area.

1. Attached is a copy of Zonal Executive Instruction No. 89 dated 17th September, 1949, which is forwarded for information and necessary action.

2. Convening Boards of Investigation

The Administrative Commandant has ruled that all Boards of Investigation within ZECO Area will be convened by him when he considers such action necessary, except that Car Unit Commanders may convene Boards, composed of members of their own unit, to investigate traffic accidents. A guide for Presidents of Boards of Investigation is attached at Appendix "A".

3. Submission of Application for Write-Off

All cases requiring write-off at a level not lower than the Administrative Commandant, ZECO Area, will be submitted as laid down in Appendix "B", within fourteen days of the loss.

4. Preparation of A.F.s. G 998

The greatest care should be exercised in the compilation of A.F.s. G 998. These forms have frequently to be returned to the submitting unit for correct compilation. The preparation of A.F.s. G 998 is the responsibility of the submitting unit. No action can be taken in this Office with regard to write-off action until the A.F.s. G 998, correctly compiled, are received. The forms should be compiled in accordance with Appendix "C" of ZEI 89 attached.

5. Traffic Accidents

Losses concerning vehicles involved in traffic accidents are not subject to write-off action, but are normal charges against maintenance, with the following exceptions:-

(a) When a vehicle is completely beyond local repair and has been evacuated then the whole cost of the vehicle will be written-off, regardless of salvage.

(b) When the vehicle has been involved in an accident when being driven by an unauthorised official or employed of C.C.G., or when being driven on an unauthorised journey. These cases will be treated as cases of theft.

6. Losses of Office Machinery

Losses of office machinery will be reported to this Office in the normal way. Head Office, Printing and Stationery Services are responsible for the final handling of cases for write-off of office machinery in BAOR, and for transmitting these cases to H.M. Treasury for final approval. This does not, however, obviate these cases being dealt with through this Office.

It has been found, in practice, that when cases have been dealt with direct between P.& S.S. and units concerned, difficulties and excessive correspondence arises, especially as the authority for convening Boards of Investigation (usually

/essential

Sec. To see [illegible] 17th Oct 49

Entries + Exits, Bootstrapper (1)

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Ext. 687

EXEC/02909/4/ECON

CONFIDENTIAL

Office of the CAO/DCOS (Exec)
LUBBECKE
BAOR 1

26 October, 1949

To: Land Commissioner,
North Rhine Westphalia
Niedersachsen
Schleswig Holstein
Commissioner, Hansestadt Hamburg.

SUBJECT: ZONAL EXECUTIVE INSTRUCTION No. 86
Disposal of Buildings and Constructions in War Plants and Military Installations.

1. At the last Zonal DEMCO meeting on 6th October, 1949, the above Z.E.I. was discussed and it was apparent that it could not be implemented at present. The following points are still outstanding:-

(a) Legislation is required in respect of Reich owned plants, and other plants which are part Reich owned and part privately owned. An Ordinance, which will have to be agreed with the Foreign Office, is therefore being prepared by the Office of the Deputy Legal Adviser.

(b) No decision has been made on the future of the twelve privately owned plants listed in para. 8 of telegram BASIC 2024 (BERLIN to Foreign Office) of 16th June, 1949.

(c) Policy in regard to ownership and future use of Military Installations has not yet been decided. Military Installations which were Reich owned (and it is understood that the majority were) will be included in the legislation being prepared under (a) above.

(d) It is probable that privately owned plants will be handed over in such a way as to enable Laender Governments to exercise control similar to that formerly exercised by Property Control. If that is decided as a matter of policy, it will be necessary to cover it by legislation being prepared under (a) above.

2. Z.E.I. No. 86 is therefore in abeyance for the present, but every effort is being made to speed up the outstanding policy decisions and legislation.

J.N.D. Tyler
Brigadier
for Major General
Chief Administrative Officer and
Deputy Chief of Staff (Executive)

3/11

Copy to: Z.E.I. No. 86 Distribution

Combined Travel Board, Hatfield (1) 9

Ext.327

Exec/039/1/Econ

Economic Section,
Office of the CAO/DCOS (Exec),
Lubbecke,
BAOR, 1.

7 November, 1949.

To: Distribution below

SUBJECT: Zonal Executive Instruction No. 91
dated 6th October, 1949.
AMENDMENT No.1 dated 7th November, 1949.

The following amendment to Z.E.I. No.91 is notified.

Delete paragraph 10 and substitute:-

"10. Disarmament Group will notify the appropriate responsible Service authority in accordance with arrangements to be made by the Land Commissioner. The Land Standing Accommodation Committee will be consulted if concerned."

Economic Section.

Distribution: Secretariat Standard Distribution List dated 19th October, 1949, Column 6.

Copy to File Exec/2909/4/1/Econ

10

Ext. 327

Exec/039/1/Econ

Economic Section,
Office of the CAO/DOOS-(Exec)
Lubbecke,
BAOR 1.

9th November, 1949.

To: Distribution below

SUBJECT: Zonal Executive Instruction No. 8A
dated 28th September, 1949
AMENDMENT No. 1 dated 9th November, 1949.

Request the following amendments be made to the above instruction.

1. Page 2 - Delete para 9 (a) and substitute:-

"Direct supervision of customs and currency control, whether by German officials or specially employed officials of nationalities other than German, of "Allied Forces", at those points of entry into and exit from the British Zone of Germany authorised for their use and in conformity with appropriate Military Government Laws, Ordinances and Regulations, Routine Orders etc.

Members of "Allied Forces" are as defined in Allied High Commission Law No. 1 - Definitions.

Crossing Points authorised for use of members of the Allied Forces and details of availability of Frontier Inspection Service officials are shown at ANNEXURE 4 hereto.

Basic regulations regarding personal imports and exports by members of the Allied Forces are shown at ANNEXURE 5 hereto."

2. Delete "Occupation Authority" and substitute "Allied Forces" as follows:-

Page 1 - para 3, line 3.
para 4 (a) and (c).

Page 2 - para 8, line 4.
para 11, Line 2.

Page 3 - para (d) Annexure 4, line 2.

Annexure 4 - Heading.

Annexure 5 - A line 4.

Annexure 6 - para 2, line 10.
para 4, line 4.
Note - lines 2 and 6.

3. Page 2 - para 10, line 1 - Delete "Forces of Occupation" and substitute "Allied Forces".

4. ANNEXURE 2 (i) line 2 - Delete "Controller" and substitute "Director".

5. ANNEXURE 5 para 3 Authorised Exports (v) line 5 - Delete "Major" substitute "Lieutenant Colonel".

6. ANNEXURE 6 para 2, General Powers - line 2 - Delete "in relation to numbers of the Allied Forces (Occupation Authority)."

ANNEXURE 4 - Netherlands Frontier
Add (under rail crossings) B ROERMOND - MEYDT Service.

Economic Section.

ribution: As for Z.E.I. 8A.
to: BM 1/Exec/6800/1

para copies held in Policy File

1 277 Pol Be Combined Travel Board 14

EXEC/039/FIN

See 1/2

CONTROL COMMISSION FOR GERMANY
ZONAL OFFICES

ZONAL EXECUTIVE INSTRUCTION NO; 92 DATED 23RD NOVEMBER 1949

CONDITIONS GOVERNING THE RETENTION OF CHATTELS AND EFFECTS OTHER THAN THOSE FORMING PART OF THE NORMAL FURNISHING OF BUILDINGS UNDER REQUISITION

FORMER REICH AND STATE PROPERTY

1. Former Reich and State-owned property will in future be administered by the Land Governments under the direction of the Federal Government under the provisions of Ordinance No. 202, and Law 52 will no longer apply. But, under Article V of the same Ordinance, the Occupation Authorities have the right to retain former Reich and State-owned property for their use without liability to make payment.

2. In future, therefore, the Occupation Authorities and Forces may retain such former Reich and State-owned moveable property as they require for their Occupation needs without requisition or payment of hire charges.

PRIVATE PROPERTY

3. The principle in regard to privately owned property generally (which includes that belonging to Trade Unions, Religious Bodies and other Organisations), whether still controlled under Law 52 or not, is that it should either be requisitioned from, or returned to, its private owner or the custodian appointed under Law 52.

PROPERTY OF CONSIDERABLE VALUE, INTRINSICALLY, ARTISTICALLY, OR BY REASON OF ITS ANTIQUITY (INCLUDING ALL PROPERTY LISTED IN MONUMENTS AND FINE ARTS)

4. Property of this character, whether publicly or privately owned, may only be retained in future under the following conditions:-

(a) Senior Officials nominated by the U.K. High Commissioner, (a list of whom is given at Appendix "A") may retain sufficient property to ensure that the appointments of their houses are in keeping with their position. Such property will be separated, listed by Property Control, requisitioned on hire (if it is not property referred to in paragraph 1 above), and moved from place to place according to the needs of the official concerned. Any requisition action required to regularise the position of private property already held will be taken in accordance with instructions to be issued by HQ E.C.O.

(b) Other officials, messes, etc., may retain such property as is already requisitioned and in the building to which it belongs, so long as that particular building remains under its present requisition. As soon as the building is derequisitioned the property will be returned to its owner. Property not belonging to the building in which it lies will now be returned to the owner (public or private), unless the owner desires that it be left where it is. In that case, no hire charges will be payable and no responsibility accepted by the Occupation Authorities or Forces. Nothing in this sub-paragraph precludes the right of a German owner to claim return of antiques or valuables at present on requisitioned premises in accordance with existing procedure.

/(c)

EXEC/039/FIN

CONTROL COMMISSION FOR GERMANY
ZONAL OFFICES

ZONAL EXECUTIVE INSTRUCTION NO; 92 DATED 23RD NOVEMBER 1949

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/(c)

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 78 (REVISED)

DATED 1ST DECEMBER, 1949

PROCEDURE FOR ARRANGING SPONSORED VISITS TO GERMANY FOR VISITORS REQUIRING FACILITIES FROM THE ALLIED ADMINISTRATION

INTRODUCTION

1. This Instruction covers all visits from the United Kingdom sponsored by the Foreign Office (German Section) and by Offices, Divisions and Branches of the C.C.G. (BE), whether chargeable to public funds or not; but it does not apply to the following categories :-

(a) Intakes arranged by Appointments Branch.

(b) Applications forwarded by High Commission Permit Officers to Combined Travel Board at Herford.

(c) Visits of Press Correspondents sponsored by Information Services Division.

(d) Visits by the staff of the Foreign Office (German Section).

(e) Visits by Service and civilian personnel authorised by H.Q. R.N., H.Q. B.A.O.R. or A.H.Q. B.A.F.O. to visit formations and units under their command in connection with purely service matters.

2. Sponsorship is the responsibility of the appropriate functional Department of the Foreign Office (German Section) in London and of the corresponding functional Office, Division or Branch in Germany. When visitors are senior officials and persons of high standing, and Zonal facilities are required, Secretariat, Office of the Chief of Staff, Lubbecke, or the Office of the Chief of Staff, Wahn, will be the sponsor in Germany.

3. For the purpose of this Instruction the following definitions are made:

(a) The functional Department of the Foreign Office (German Section) in London is hereinafter referred to as the "Sponsor in London", and the corresponding functional Office, Division or Branch in Germany as the "Sponsor in Germany".

(b) The word "Facility", as employed in the terms "Facility", "Part Facility", and "Non-Facility", applies only to facilities made available by Zonal Travel Directorate.

4. This Instruction does not affect any security restrictions which may at any time be imposed. It should also be noted that any visits, although sponsored, may be disapproved for security reasons.

OBJECT

5. The object of this instruction is to set down the procedure to be followed in arranging sponsored visits to Germany, and to allocate responsibility for sponsorship, for the arrangement of facilities in Germany, and for the actual movement.

METHOD

6. Full details are given in the Appendices to this Instruction regarding action to be taken by the Sponsor in London, the Sponsor in Germany and Zonal Travel Directorate, Bad Salzuflen, to co-ordinate such visits. The Appendices are as follows :-

/(a)

C. S. Board Hereford (2) Pol. 15

Ext 213 277

Exec/039/1/Sec

Secretariat,
Office of the CAO/DCOS (Exec),
Lubbecke,
BAOR 1.

29 November, 1949

To: Distribution below

SUBJECT: Amendment No. 1 to Zonal Executive Instructions - Numerical Index → L 334 → Folio 1.

Reference ZECO/039/1/Sec dated 21st May, 1949, please make the following amendments:-

Sheet No. 1

Z.E.I. No. 5 Cancelled - delete all detail.

Add new serial: Column (a) 8A.
" (b) 28.9.49
" (c) British Frontier Inspection Service.
" (d) No. 2 of 25.11.49
" (e) ECON.

Z.E.I. No. 15 Cancelled - delete all detail.

Sheet No. 2

Z.E.I. No. 24 Cancelled - delete all detail.

Sheet No. 4

Z.E.I. No. 62 Cancelled - delete all detail.

Sheet No. 5

Z.E.I. No. 79 Column (b) delete 5.1.49
insert 24.6.49

Z.E.I. No. 82 Cancelled - delete all detail.

Add new serials: Column (a) 84
" (b) 31.8.49
" (c) Control of Sterling Expenditure Monthly Returns of Expenditure and Liabilities.
" (d) No. 1 of 29.9.49
" (e) FIN.

Column (a) 85
" (b) 7.9.49
" (c) CCG Deutschemark Imprest Accounts.
" (d) NIL
" (e) FIN.

Sheet No. 6

Add new serials: Column (a) 86
" (b) 10.9.49
" (c) Disposal of Buildings and Constructions in War Plants and Military Installations.
" (d) NIL
" (e) ECON.

Column (a) 87
" (b) 9.9.49
" (c) Redundancy of German Employees of Control Commission for Germany.
" (d) NIL
" (e) 'G'

8/12

/Sheet No. 6

277 - Pol/Pe

CTB. HERFORD. 2

25

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 78 (REVISED)

DATED 1ST DECEMBER, 1949

External Affairs for information

PROCEDURE FOR ARRANGING SPONSORED VISITS TO GERMANY FOR VISITORS REQUIRING FACILITIES FROM THE ALLIED ADMINISTRATION

Secretariat 8/12

INTRODUCTION

1. This Instruction covers all visits from the United Kingdom sponsored by the Foreign Office (German Section) and by Offices, Divisions and Branches of the C.C.G. (BE), whether chargeable to public funds or not; but it does not apply to the following categories :-

(a) Intakes arranged by Appointments Branch.

(b) Applications forwarded by High Commission Permit Officers to Combined Travel Board at Herford.

(c) Visits of Press Correspondents sponsored by Information Services Division.

(d) Visits by the staff of the Foreign Office (German Section).

(e) Visits by Service and civilian personnel authorised by H.Q. R.N., H.Q. B.A.O.R. or A.H.Q. B.A.F.O. to visit formations and units under their command in connection with purely service matters.

2. Sponsorship is the responsibility of the appropriate functional Department of the Foreign Office (German Section) in London and of the corresponding functional Office, Division or Branch in Germany. When visitors are senior officials and persons of high standing, and Zonal facilities are required, Secretariat, Office of the Chief of Staff, Lubbecke, or the Office of the Chief of Staff, Wahn, will be the sponsor in Germany.

3. For the purpose of this Instruction the following definitions are made:

(a) The functional Department of the Foreign Office (German Section) in London is hereinafter referred to as the "Sponsor in London", and the corresponding functional Office, Division or Branch in Germany as the "Sponsor in Germany".

(b) The word "Facility", as employed in the terms "Facility", "Part Facility", and "Non-Facility", applies only to facilities made available by Zonal Travel Directorate.

4. This Instruction does not affect any security restrictions which may at any time be imposed. It should also be noted that any visits, although sponsored, may be disapproved for security reasons.

OBJECT

5. The object of this instruction is to set down the procedure to be followed in arranging sponsored visits to Germany, and to allocate responsibility for sponsorship, for the arrangement of facilities in Germany, and for the actual movement.

METHOD

6. Full details are given in the Appendices to this Instruction regarding action to be taken by the Sponsor in London, the Sponsor in Germany and Zonal Travel Directorate, Bad Salzuflen, to co-ordinate such visits. The Appendices are as follows :-

/(a)

(a) Appendix 'A' - Visits from the United Kingdom to the British Zone of Germany

(b) Appendix 'A.2' - Visits from the United Kingdom to the British Sector of Berlin

(c) Appendix 'B' - Information required by the Sponsor in London from the Sponsor in Germany in cases where visitors require no arrangement of facilities by Zonal Travel Directorate when travelling to, from or within Germany.

(d) Appendix 'C' - Detailed information required by Zonal Travel Directorate from the Sponsor in Germany when facilities are to be arranged for the visitors by Zonal Travel Directorate.

CANCELLATION

7. Zonal Executive Instruction No. 78 of 4th November, 1948, is hereby cancelled.

R. J. Pulverman for.

Major-General
Chief of Staff

DISTRIBUTION

Standard ZEI Distribution List.

PROCEDURE FOR ARRANGING SPONSORED VISITS FROM THE UNITED KINGDOM TO THE BRITISH ZONE OF GERMANY

ACTION BY THE SPONSOR IN GERMANY

1. Non-Facility Visits

(a) Whether the visit originates in Germany or in London, if all facilities are being arranged by the Sponsor in Germany, and Zonal Travel Directorate are not required to arrange facilities either for travel to Germany, in Germany, or when the visitor is returning to the United Kingdom, the visit will be discussed and the details settled by the Sponsor in London and the Sponsor in Germany. The appropriate capitation rate will be agreed, and the Sponsor in Germany should ensure that the Capitation Card is available to the visitor on arrival in Germany.

(b) On final settlement of all the appropriate details of the visit the Sponsor in Germany will request the Sponsor in London by signal, savingram or letter to despatch the visitor to Germany, giving the details contained in Appendix 'B' to this Instruction. This request MUST include the confirmation that the provision of facilities will be arranged. Copies of this signal, savingram or letter will be sent to Zonal Travel Directorate and Travel Bureau, Foreign Office, London.

NOTES:

(i) If a visit is originated as a non-facility visit, but after arrival of the visitor in Germany, Zonal Travel Directorate is requested to arrange facilities, either in that country, or for the return journey to the United Kingdom, **NO guarantee can be given that** they can, in fact, be provided.

(ii) If a return passage by air or surface routes is booked through a commercial travel agent, and a return ticket is held, reservations for seat, sleeper and/or cabin accommodation for the return journey must still be made with a commercial travel agent either in the United Kingdom or on the Continent.

2. Facility Visits

(a) Whether the visit originates in Germany or in London, if travel to and/or from Germany and/or all facilities in the British Zone are to be arranged by Zonal Travel Directorate, the details will first be discussed and settled, and the capitation rate decided, by the Sponsors in London and in Germany.

(b) Information in accordance with Appendix 'C' to this Instruction will then be forwarded by the Sponsor in Germany to Zonal Travel Directorate, Bad Salzuflen, with copies to the Sponsor in London, Travel Bureau, Foreign Office, London, and any other interested addressees requesting that the visitor be called forward. The maximum possible notice must be given.

(c) Applications for shipping reservations received by Zonal Travel Directorate at less than 14 days' notice are unlikely to be met, and this should be taken into consideration when submitting a request for calling forward. In exceptional cases applications will be accepted at shorter notice, but the possibility of shipping reservations being available for the date requested will be correspondingly reduced. NO guarantee can be given by Zonal Travel Directorate of the availability of shipping reservations for the date requested; nor can any guarantee be given that the class and type of shipping reservations requested will, in fact, be available.

/(d)

(d) It is MOST IMPORTANT that, unless absolutely necessary, amendments to the visit are not made after the application for call-forward has been sent to Zonal Travel Directorate. If, however, it is essential to amend the information given in the application such amendments should be forwarded to Zonal Travel Directorate, copies to other interested addressees, with the minimum of delay. Any amendments made verbally MUST be confirmed in writing or by signal.

NOTE:

Where return movement documents are issued in the United Kingdom by Travel Bureau, London, they must be presented to a C.C.G. Travel Bureau in Germany, for completion of return booking details, as soon as possible after the arrival of the visitor in Germany.

3. Part Facility Visits

Where travel facilities to and/or from Germany, and/or facilities in the British Zone are to be arranged by both Zonal Travel Directorate and the Sponsor in Germany, the procedure will be the same as for "Facility Visits", in accordance with paragraph 2 above, with the following addition. The Sponsor in Germany will include in the request to Zonal Travel Directorate for calling forward, confirmation that any facilities required by the visitor, other than those requested from Zonal Travel Directorate, will be arranged by the Sponsor in Germany.

NOTE:

If a return passage by air or surface routes is booked through a commercial travel agent, and a return ticket is held, reservations for seat, sleeper and/or cabin accommodation for the return journey must still be made with a commercial travel agent either in the United Kingdom or on the Continent.

ACTION BY THE SPONSOR IN LONDON

4. After all details of the visit have been agreed by both the Sponsor in London and the Sponsor in Germany, the former will obtain all necessary financial clearance for the visit, irrespective of the category of the visit.

5. They will then provide the High Commission Permit Officer, London, with all the particulars required for security clearance, discuss the provisional plans with the visitor and, where necessary, request Travel Bureau, Foreign Office, London, to make provisional arrangements for travel ex the United Kingdom to Germany. They will also arrange for the visitor to obtain BAFSVs and suitable currency instruments.

6. Action in accordance with the following sub-paragraph will then be taken by the Sponsor in London :-

(a) Non-Facility Visits

A final confirmatory signal or savingram will be addressed to the Sponsor in Germany, copies to Zonal Travel Directorate, Bad Salzuflen, and any other interested addressees, stating the estimated time of arrival, method of travel and route, length of visit, date of return and any other relevant information.

(b) Facility and Part Facility Visits

A signal or savingram will be sent to Zonal Travel Directorate, copy to the Sponsor in Germany, confirming that provisional arrangements are complete, that financial and security clearances have been received, and that the visitor can be called forward.

/NOTES:

NOTES:

(i) Zonal Travel Directorate will, when calling forward visitors for whom they have arranged return travel by surface routes, confirm the class of sea and rail travel actually reserved and state the amount of the cabin supplement.

(ii) When Zonal Travel Directorate are unable to make a shipping reservation for the required class of travel for the journey ex Germany financial adjustment will, when necessary, be made by the Sponsor in London either before the visitor departs ex the United Kingdom, or on his/her return to the United Kingdom.

ACTION BY ZONAL TRAVEL DIRECTORATE, BAD SALZUFLEN

7. Facility Visits

(a) On receipt of information in accordance with Appendix 'C' to this Instruction, Zonal Travel Directorate will make all necessary arrangements and prepare an itinerary. When confirmation of the visit has been received from the Sponsor in London, Zonal Travel Directorate will send a signal or savingram to the Sponsor in London, copies to Travel Bureau, Foreign Office, London, the High Commission Permit Officer London, the Sponsor in Germany and any other interested addressees, calling the visitor forward.

(b) When the return journey ex Germany is by surface route the "call forward" signal will include confirmation of the class of sea and rail travel reserved and the amount of the cabin supplement.

(c) It should be particularly noted that Zonal Travel Directorate will not call forward "Facility visitors" until they have made arrangements for the provision of all facilities requested from them, and that visitors must NOT be despatched from the United Kingdom until Zonal Travel Director has called them forward, thereby ensuring that facilities will be available to the visitors on arrival in Germany.

8. Part Facility Visits

(a) On receipt of information in accordance with Appendix 'C' Zonal Travel Directorate will make arrangements for the provision of the facilities required from them, and will confirm to the Sponsor in Germany that these facilities can or cannot be provided. When clearance is received from the Sponsor in London, Zonal Travel Directorate will send a signal or savingram to the Sponsor in London, copies to Travel Bureau, Foreign Office, London, the High Commission Permit Officer, London, the Sponsor in Germany and any other interested addressees, calling the visitor forward.

(b) When return travel arrangements by surface route ex Germany have been made by Zonal Travel Directorate, this signal or savingram will include confirmation of the class of sea and rail travel reserved, and the amount of the cabin supplement.

(c) It should be particularly noted that Zonal Travel Directorate will not call forward "part facility visitors" until they have made arrangements for the provision of all facilities requested from them, and have received confirmation that any other facilities required by the visitors will be arranged by the Sponsor in Germany. Visitors must NOT be despatched from the United Kingdom until Zonal Travel Directorate has called them forward, thereby ensuring that facilities will be available to them on arrival in Germany.

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APPENDIX 'A2' to Z.E.I.
No. 78 (AMENDED)
dated 1.12.49

PROCEDURE FOR ARRANGING SPONSORED VISITS FROM THE UNITED KINGDOM TO THE BRITISH SECTOR OF BERLIN

ACTION BY THE SPONSOR IN GERMANY

1. The procedure will be in accordance with the instructions contained in paragraphs 1, 2 or 3 as appropriate of Appendix 'A.1' to Z.E.I. No. 78.

NOTES:

(i) When a visit to the British Sector of Berlin is originated after the arrival of the visitor(s) in Germany, the Sponsor in Germany will inform Zonal Travel Directorate by signal, savingram or letter, giving the maximum possible notice. In urgent cases this information may be telephoned to Zonal Travel Directorate, but in such cases confirmation in writing or by signal must be forwarded as early as possible.

(ii) Zonal Travel Directorate will request the necessary clearance from Combined Travel Board, Herford, and confirm to the Sponsor in Germany that clearance has, or has not, been granted.

ACTION BY THE SPONSOR IN LONDON

2. The procedure will be in accordance with the instructions contained in paragraphs 4, 5 and 6 of Appendix 'A.1' to Z.E.I. No. 78 with the ADDITION that Combined Travel Board, Herford, will be included in the information addressees of the signal or savingram referred to in sub-paragraph (a) of paragraph 6.

ACTION BY ZONAL TRAVEL DIRECTORATE, BAD SALZUFLEN

3. The procedure will be in accordance with the instructions contained in paragraphs 7, and 8 of Appendix 'A.1' to Z.E.I. No. 78, as appropriate, with the ADDITION of the following :-

(a) When a visit to the British Sector of Berlin is originated after the arrival of the visitor(s) in Germany, Zonal Travel Directorate will, on receipt of information to this effect from the Sponsor in Germany, request the necessary clearance from Combined Travel Board, Herford. Confirmation that clearance has, or has not, been granted will be forwarded by signal or in writing to the Sponsor in Germany. In urgent cases this information may be telephoned to the Sponsor in Germany but in such cases it will be confirmed in writing or by signal.

(b) A copy of the "call forward" signal despatched by Zonal Travel Directorate will be sent to Combined Travel Board, Herford, in all cases where a visitor is proceeding to the British Sector of Berlin.

APPENDIX 'B' TO Z.E.I.
NO. 78 (AMENDED)
DATED 1.12.49

FOR ACTION: SPONSOR IN LONDON

INFORMATION: ZONAL TRAVEL DIRECTORATE, BAD SALZUFLEN
TRAVEL BUREAU, LONDON

SECURITY CLASSIFICATION .....

DEGREE OF PRIORITY .....

TIME OR ORIGIN .....

ORIGINATOR'S REFERENCE (.) DATE (.) NAME OF ORIGINATING OFFICE/DIVISION/ BRANCH OF COG (BE) (.)

ONE (.) HEREWITH PARTICULARS OF THE AGREED VISIT OF ..... (NAME(S)) WHO SHOULD BE DESPATCHED TO ARRIVE AT ....(PLACE) ON .....(DATE) (.)

TWO (.) THE PURPOSE OF THE VISIT IS ....(.)

THREE (.) THE ITINERARY FOR THE VISIT IS AS FOLLOWS (.) (IF THE ITINERARY ALREADY FORWARDED TO FOREIGN OFFICE (GERMAN SECTION) STATE REFERENCE AND DATE OF COMMUNICATION) (.)

FOUR (.) EXPENSES ARE CHARGEABLE TO.....FOR TRAVEL TO AND FROM GERMANY AND TO..... FOR ALL FACILITIES PROVIDED IN GERMANY, AND THE VISITOR(S) WILL BE PLACED ON CAPITATION RATE .....(.) CAPITATION CARD WILL BE AVAILABLE FROM.....(.)

FIVE (.) IT IS CONFIRMED THAT NO FACILITIES ARE REQUIRED FROM ZONAL TRAVEL DIRECTORATE AND THAT FACILITIES REQUIRED BY THE VISITOR(S) WHILST IN GERMANY WILL BE ARRANGED BY THE SPONSOR IN GERMANY (.)

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21

APPENDIX 'C' TO Z.E.I.
No. 78 (AMENDED)
dated 1.12.49

FOR ACTION: ZONAL TRAVEL DIRECTORATE BAD SALZUFLEN

INFORMATION: TRAVEL BUREAU LONDON

SPONSOR IN LONDON

SECURITY CLASSIFICATION .....

DEGREE OF PRIORITY .....

TIME OF ORIGIN .....

ORIGINATOR'S REFERENCE (.) DATE (.) NAME OF ORIGINATING OFFICE/DIVISION/BRANCH OF CCG (BE) (.)

ONE (.) PLEASE ARRANGE TO CALL FORWARD IN ACCORDANCE WITH THE FOLLOWING INFORMATION (.)

TWO (.) A (.) SUBJECT TITLE OF VISIT (.)

B (.) STATE WHETHER FACILITY OR PART FACILITY VISIT WITHIN THE TERMS OF PARA 3(8) OF Z.E.I. OF (.)

C (.) NAME(S) OF VISITOR(S) AND SEX (.) AGE IF UNDER 12 YEARS (.)

D (.) STATUS/PROFESSION OF VISITOR(S) (.)

E (.) NATIONALITY OF VISITOR(S) (.)

F (.) PURPOSE OF VISIT (.)

G (.) DATE OF ARRIVAL AT DESTINATION IN GERMANY (.)

H (.) DATE OF COMMENCEMENT OF ITINERARY (.)

I (.) DATE OF DEPARTURE EX GERMANY (.)

J (.) CAPITATION RATE APPLICABLE, NAME OF DEPARTMENT, ETC., PAYING EXPENSES OF VISIT AND WHERE CAPITATION CARD AVAILABLE (.)

K (.) SPONSOR IN LONDON (.)

L (.) NAME, OFFICE/DIVISION/BRANCH, AND TELEPHONE NUMBER OF PERSON IN GERMANY TO WHOM ENQUIRIES MAY BE ADDRESSED BY ZONAL TRAVEL DIRECTORATE (.)

THREE (.) ITINERARY (FOR TRAVEL OF VISITS ONLY) (.)

FOUR (.) STATE IF VISITOR(S) IS/ARE PROCEEDING TO THE BRITISH SECTOR OF [illegible] AND LIMITATION OF VISIT TO BERLIN (.)

FIVE (.) FACILITIES REQUIRED TO BE ARRANGED BY ZONAL TRAVEL DIRECTORATE(.)

A (.) CLASS OF TRAVEL BY SEA AND RAIL (.)

B (.) RAIL RESERVATIONS FROM HOOK OF HOLLAND TO GERMANY (.)

C (.) RAIL RESERVATIONS WITHIN GERMANY (.)

D (.) AIR RESERVATIONS WITHIN GERMANY (.)

E (.) MOTOR RESERVATIONS IN GERMANY (.)

F (.) AIR RESERVATIONS IN GERMANY (.)

G (.) SEA RESERVATIONS IN GERMANY (.)

H (.) ACCOMMODATION IN GERMANY (.)

I (.) LOCAL TRANSPORT (.)

J (.) P.O.L. (.)

K (.) ANY OTHER FACILITIES (.)

SIX (.) IT IS COMPULSORY THAT ANY FACILITIES REQUIRED BY THE VISITOR(S), OTHER THAN THOSE REQUESTED FROM ZONAL TRAVEL DIRECTORATE ABOVE, WILL BE ARRANGED BY THE SPONSOR IN GERMANY (.)

- - - - - - - - - -

RECEIVED
6 SEP 1949
CTB
LE. 8505

C.T.D (2) 37

EXEC/039/G. 17th DECEMBER, 1949

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)
ZONAL EXECUTIVE OFFICES

ZONAL EXECUTIVE INSTRUCTION NO. 36 (REVISED)

DATED: 17th DEC. 1949

RECEIVED
20 DEC 1949
C.T.B.
LK.1487

CO-ORDINATION OF COMPETING DEMANDS FOR
ACCOMMODATION IN THE BRITISH ZONE

277

A. OBJECT

This Instruction is intended to lay down a procedure which will ensure that:-

(a) the best possible use is made of accommodation in the British Zone for all purposes;

(b) the requirements of the Occupying Forces, the Control Commission for Germany (British Element), and sponsored organisations are co-ordinated with those of the German Civil population.

B. DEFINITIONS

REQUISITIONING AUTHORITY

1. The sole authority in the British Zone for the requisitioning and derequisitioning of property for the purposes of the Occupation is Q. Branch, H.Q. B.A.O.R.

This authority also extends to those particular categories of properties within the scope of Directives Nos. 22 and 39 which are not subject to requisitioning but required to be made available to the Forces of Occupation on an "as required basis".

This authority is delegated through "G" Staffs of subordinate formations to Quartering Officers.

URGENT OCCUPATIONAL NECESSITY

2. (a) In respect of Military requirements the authority for determining "Urgent Occupational Necessity" is defined under B.A.O.R. Administrative Instruction No. 17, (Military Necessity).

(b) In respect of C.C.G. requirements, the authority for determining "Urgent Occupational Necessity" is delegated to Deputy Land Commissioners, except as in paragraph 5 at Appendix 2.

ACCOMMODATION POLICY

3. This shall be taken to imply the definition of:-

(a) An agreed procedure which will ensure that the requirements of the three Services, C.C.G. (B.E.) and sponsored organisations are phased strictly not according to approved scales, with due regard to the interests of foreign owners, and to any political or other aspects which may be involved.

(b) Certain categories of accommodation which may not normally be requisitioned.

/c.

Ext.272

Exec/039/Econ

Economic Section,
Office of Chief of Staff,
Lubbecke,
BAOR 1.

13 December, 1949.

To: Distribution below.

SUBJECT: Zonal Executive Instruction No. 86
of 10th September, 1949
on
Disposal of Buildings and Constructions
in War Plants & Military Installations.

As a result of discussion at the Thirty Second Zonal Demilitarisation Meeting held on 8th December, 1949, it was decided that Z.E.I. No. 86 should be cancelled.

Z.E.I. No. 86 is therefore cancelled forthwith.

Economic Section.
(J. BARNES)

Distribution
Secretariat Standard Distribution List.

CTB HERFORD

39

PNPB/PAG

Tel. 312

Exec/09205/G

Office of the Chief of Staff,
Lubbecke,
BAOR 1.

7 January, 1950

To: Distribution below

SUBJECT: Release from German Nationality

With effect from the date of this letter, Zonal Executive Instruction No. 25 of 10th February, 1948, on the above subject is cancelled.

[signature] for
Major-General
Chief of Staff

Distribution:

Secretariat Distribution List.
Copy on Exec/9205/G

277
~~220~~

40

C.T.B. Herford (2).

EXEC/039/G

LK 1487

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE OFFICES

AMENDMENT NO. 1. TO ZONAL EXECUTIVE INSTRUCTION NO. 36 (REVISED) see folio 37

DATED 17TH DECEMBER, 1949

TITLE: CO-ORDINATION OF COMPETING DEMANDS FOR ACCOMMODATION IN THE BRITISH ZONE

Paragraph 21

Delete (a) as it now reads and insert:-

"(a) Prior to the promulgation of Ordinance No. 202, property and land formerly owned by the German State was not subject to requisitioning but was made available for use by the Occupational Authorities. By virtue of Ordinance No. 202 all such property (with the exception of those listed in Article 2 of the Ordinance and which includes ex-Wehrmacht barracks and hutted camps) became vested in the Federal Republic and is therefore subject to the normal requisitioning procedure but compensatory rent is not payable."

Page 3 of the Instruction, first line

Delete figure '6' and insert figure '8'.

'G' Section
(P. N. P. PULL)

Distribution:

Secretariat Distribution List

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(Embodied) Travel Board (2) 41

Ext: 327

Ref: Exec/039/1/Econ

Economic Section,
Office of the Chief of Staff,
Lubbecke,
BAOR 1

9th January, 1950

To: Distribution below

SUBJECT: Z.E.I. No. 91 dated 6th October, 1949
Amendment No. 2 dated 6th January, 1950

The following amendment to Z.E.I. No. 91 is notified :-

Para. A (2). At end of line 4 delete the full stop and add:

", except in the case of I.G. Farbenindustrie (in dissolution), and the Combined Coal and Steel Groups."

Thos Brunner
Economic Section

B/1

Distribution:

To for [illegible] No. 91
Plus I.G. Farbenindustrie
Combined Coal Group
Combined Steel Group

Copy to: File Exec/2909/[illegible]/Econ

54 53

Ext: 312

EXEC/039/G

Office of the Chief of Staff,
Lubbecke,
B.A.O.R. 1.

8th February, 1950.

To: Combine Travel Board
HERFORD
BAOR 15

SUBJECT: Review of Zonal Executive Instructions.

As a review of Z.E.Is is now being carried out you are requested to state whether in your opinion ZEIs 65 should now be cancelled.

Should you be of the opinion that it/~~they~~ must be retained, however, it may well be that considerable amendment will be necessary to bring it/~~them~~ into line with existing procedure. In that event perhaps you will submit the revised draft for publication from this Office. In any event please first ensure that your action is cleared with other interested formations and functions of the Services and Control Commission before you make your submission to this Office.

A copy/~~copies~~ of ZEI 65 is/~~are~~ attached for your reference.

(P. Kirchner)
'G' Section

PNPB/EB

Replied
1 55
[illegible]

[illegible]

[illegible] Distribution List. [illegible] 1 Serials 1-6, 7-11, 13-30 (Less 17A)
" " " [illegible] 1 Serials 1-40 (Less 17, 18, 38)
" " " [illegible] 1 Serials 2-6 9.

[illegible] Berlin (1)
[illegible] Berlin (1)
[illegible] Branch, Berlin ([illegible])
[illegible] (1 Movements) (20)
[illegible] Travel Directorate
[illegible] (1) Movements (20)

Ext. 491

RECO/439/2/Sec G.

Zonal Executive Offices,
Lubbecke,
60 HQ CCG BE,
BAOR 1.

29th December, 1947

To: Distribution below.

SUBJECT: ZEI No. 63 dated 13th October, 1947
Amendment No. 1 dated 29th December, 1947

Addressees are requested to make the following amendment to ZEI No. 63 of 13th October, 1947, on "Travel of Civilians out of Germany (British Zone)":

Part 4. Delete last note "A male German.....an essential work" and substitute the following:

"A male German between 18 and 65 years of age will be required to produce a certificate from the Labour Office (Arbeitsamt) stating that he is not required now, nor likely to be in the near future, in Germany for employment on essential work.

This certificate is not required

(i) If his journey is sponsored as in (a) above, for the purpose of a visit only.

(ii) If he is proceeding on a visit to the U.K. only; under the scheme for compassionate visitors."

Sgd. R. SHEGOG

for Major-General,
Chief of Staff,
and Deputy Military Governor

/C.

DISTRIBUTION

Standard Distribution List. 6 Col. 1 Serials 1-6, 7-11, 13-30 (Less 17A)
" " " Col. 1 Serials 1-40 (Less 17, 18, 38)
" " " Col. 1 Serials 2-6 9.

C.C.G. Berlin (6)
R.C.C. Berlin (2)
Entries Exit Branch, Berlin (30)
BE BAOR (3 Movements) (20)
Zonal Travel Directorate
(1) Movements (20)

C 7 15 52

[illegible]/039/Sec.C. 13 October, 1947

ZONAL EXECUTIVE OFFICES

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 63 DATED 13 OCTOBER, 1947

TRAVEL OF CIVILIANS OUT OF GERMANY (BRITISH ZONE)

INTRODUCTION

1. The general policy of Travel of Civilians abroad from the Western Zones of Germany is governed by Tripartite Travel Agreements of August 1946 and January 1947.

I.A. & C. Division Military Government Instruction No:16 (second revise) dated 26th December 1946, implemented this policy so far as the British Zone of Germany is concerned.

It is now out of date and will be destroyed.

OBJECT

2. (a) The object of this Instruction is to implement the two Agreements referred to above;

(b) It governs the policy of travel out of the British Zone of Occupation to other countries, and the general procedure to be adopted by applicants for Travel Documents and Exit Permits.

(NOTE: Technical Instructions are issued by H.Q. Entries and Exits Branch to those concerned to give effect to the broad policy as set out below, and to cover the detailed procedure necessary for dealing with applications from various categories of Travellers).

TRAVEL POLICY

3. Non Germans

(a) Temporary Visits

(i) The visit must be in the interest of, and sponsored by the British Occupational Authorities;

or (ii) The visit must be justifiable on humanitarian, or other exceptional grounds.

(b) Emigration/Repatriation (Individuals)

An application for a Temporary Travel Document and/or Exit Permit for an individual will as a rule be accepted if there is clear evidence that the applicant intends to leave Germany to reside indefinitely in another country, and that his admission to that country has been approved by the authorities concerned.

(c) Emigration/Repatriation (on a collective basis)

The Zonal Executive Offices of PW & DP Division are responsible for co-ordinating the formalities in connection with the emigration and/or repatriation on a collective basis of persons who are registered at camps administered by them. The detailed procedure entailed is set out in paras 12 and 13 below.

/2. GERMANS

4. **Germans**

(NOTE: The following conditions apply to German nationals by birth, naturalisation or marriage, or to persons who were formerly of German nationality.

Temporary Visits or Emigration/Repatriation:-

Applications for Temporary Travel Documents and/or Exit Permits will only be considered:-

(a) If the journey is sponsored by the British Occupational Authorities as being -

(i) In the interests of the Occupational Authorities;

or (ii) Desirable in the interests of the re-education of Germany in the working of democratic institutions;

or (b) If the journey is justifiable on strong humanitarian grounds, or other exceptional reasons.

A male German, between 18 and 65 years of age, (unless his journey is sponsored as in (a) above, for the purpose of a visit only) will be required to produce a certificate from the Labour Office (Arbeitsamt), stating that he is not required now, nor likely to be in the near future, in Germany for employment on essential work.

DOCUMENTATION

5. Travel Documentation

The regulations governing travel out of Germany require that, normally, civilians must be in possession of:-

(a) A valid national passport;

or (b) A valid Temporary Travel Document issued by the Occupational Authorities of the Western Zones of Germany.

and (c) Where necessary a valid Visa or Consular letter authorising his entry to the country of destination;

and (d) An Exit Permit, stamped on the national passport or Temporary Travel Document;

(e) A transit visa, if required, from the appropriate Consular authority where the applicants journey to his destination involves travel through another country.

6. Persons and Groups who Require No Exit Permits

(a) Properly documented Service personnel who are members of the occupational contingents of the Zones, and military members of Military Missions accredited to the Control Council or the Zone Commander;

(b) "Merchant Seaman", which includes;

(i) Members of ships' crews travelling as such;

(ii) Personnel of the Merchant Service travelling as passengers or supernumeraries in pursuit of their sea-employment and holding proper written authority to travel as such.

/(c)

(c) Bona fide holders of Grenzeller Passes or similar documents issued to border residents by agreement between the authorities concerned;

(d) Persons who are being repatriated by CRX from the three Western Zones of Germany to European countries, other than to Spain, Sweden, Portugal and Switzerland.

(e) Persons travelling in large numbers on an organised basis for employment under contract, may, subject to certain conditions, and at the discretion of Military Government, be permitted to travel under the nominal roll procedure provided the receiving country consents.

(f) Persons travelling under military escort of one of the occupying powers.

7. Temporary Travel Documents

In accordance with the Tripartite Agreement concerning travel into and out of Germany which came into force on 26th August 1946, Travel Documents intended to serve in lieu of passports may be issued to:

(a) German nationals;

(b) Stateless persons and persons of undetermined nationality

(c) Persons who do not enjoy the protection of their government and are therefore not able to obtain a national passport

PROCEDURE

8. Applications Normal

(NOTE: Variations to the Normal procedure have been agreed for certain well defined schemes. The details have been issued to all concerned).

(a) Applications for Temporary Travel Documents and Exit Permits will be made on EE/227.

(b) Applications for Exit Permits only will be made on EE/226.

(c) German nationals by birth, naturalisation or marriage who wish to travel to the under-mentioned countries, will also complete EE/226/A. In addition to EE/226 or EE/227 -

Portugal and possessions
Sweden
Spain and possessions
Switzerland
Turkey
Middle East
Ethiopia
Greece
Countries of Central and South America

(d) In all cases the forms will be completed in triplicate.

Each application for a Temporary Travel Document (EE/227) will be accompanied by two photographs, which should be taken full face without hat, and should not be larger than 5½cm x 4cm. One photograph must be signified on the back by the person who verifies the application that it is a true likeness of ..... (the applicant)

/E

(e) Where an individual applies for the issue of an Exit Permit only, or for his Exit Permit to be renewed or otherwise endorsed, his existing national passport or Temporary Travel Document will accompany the application to the Regional Office of Entries and Exits Branch.

(f) Except in the case of travel to the U.K., a visa or consular letter, authorising entry to the country of destination, must be produced before the application can be considered.

(g) Applications by German nationals will be made in the first instance to the office of the nearest Landrat or Oberbuergermeister.

The Regional Officer of E. & E. Branch may, however, at his discretion, accept an application from a German national direct.

(h) Separate applications will be submitted by each individual of 16 years of age or over. The particulars of children, if any, under 16 years will be included in the application form of the parent or guardian. These particulars will be added to the Passport or Temporary Travel Document when the Exit Permit is issued. Application forms, with photographs, will be submitted on behalf of unaccompanied children, under 16 years of age. Financial and security clearances are not required for children.

9. Sponsorship

The sponsorship of an application for an individual to travel abroad in the interests of the occupational authorities will be given in the form of Appendix A.

It will be signed by the authorised representatives of the sponsoring Division/Branch of C.C.G., and will be given to the individual to attach to his application at the time that he initiates it.

NOTE: Details are shown in Z.E.I. No. 48 of 19 Aug 47 and Z.E.I. No. 62 of Oct 47.

10. Duties of German Officials

(a) Where an application is submitted through the Office of the Landrat or Oberbuergermeister, the official accepting it will satisfy himself that the application is properly complete; that to the best of his belief, the person in whose name the application is made out is identical with the individual submitting the application; and that the necessary supporting documents are attached to the application. He will then refer the application to the local police authorities for the checking of the applicant's bona fides.

(b) When the above procedure has been complied with and the application form is suitably endorsed to that effect, the application will be transmitted to the appropriate Regional Office of Entries and Exits Branch for decision.

11. Duties of Entries and Exits Branch

(a) Authority has been delegated for certain categories of applications to be dealt with by Branch Offices in the Zone without reference to the Combined Travel Board. Certain other categories have, under the Tripartite Agreement, to be referred to Combined Travel Board, Berlin.

(b) On receipt of an application, Entries & Exits Branch are responsible for deciding whether it can be accepted under existing Travel Policy.

/If

(e) Where an individual applies for the issue of an Exit Permit only, or for his Exit Permit to be renewed or otherwise endorsed, his existing national passport or Temporary Travel Document will [illegible] the application to the Regional Office of Entries and [illegible] visa or consular [illegible] must

50

If it is accepted, this Branch then arranges for Security and, where necessary, for Financial clearance.

(c) The Branch is then responsible for the preparation and issue of Temporary Travel Documents and/or Exit Permits to successful applicants.

Normally, the issue to the applicant will be made through the office at which the application was originated.

12. Procedure for Travel on a Collective Basis. (Nominal Roll Procedure)

(Note: The following procedure applies only to persons who are travelling under arrangements made by PW & DP Division in larger numbers on an organised basis for employment in Europe. Prior approval of Military Government and of the receiving country is necessary in accordance with para 6(c) above.)

(a) Nominal rolls of the members of each party will be completed in triplicate and in alphabetical order in accordance with proforma (vide Appendix B). The total on each sheet will be shown, and any space at the bottom ruled through, to prevent subsequent addition of names. Temporary Travel Documents and/or Exit Permits are NOT required.

(b) Action by PW & DP Division

PW & DP Division

(i) will satisfy itself that authority has been received for the admission to the country of ultimate destination of each individual whose name appears on the nominal roll.

(ii) will satisfy itself that authority has been received, for their transit through intervening countries.

(iii) will clear nominal rolls with Intelligence Division (A5 Sub-Section). The latter will stamp and sign each sheet of nominal rolls to indicate such clearance.

(iv) will forward

(a) one copy of nominal rolls, as cleared by Intelligence Division.

(b) a certificate confirming the stipulations in (i) and (ii) above.

(c) a statement indicating the date of proposed move, the place of departure, the port or place of crossing the international frontier and the mode of conveyance to:-

The Assistant Director,
Port and Frontier Passport Control,
Entries & Exits Branch,
BUNDE[illegible]

and Intelligence Division (A.5 Sub-Section).

(c) The documents referred to at (b)(iv) above will be forwarded so as to reach the addressees at least 10 days prior to the proposed date of the movement of the party.

(d) Action by Port and Frontier Control

The Assistant Director, Port and Frontier Passport Control will forward his copy of the nominal roll to the appropriate British

/Passport ...

6h

Passport Officer in order that the necessary check may be made at the place of departure.

(c) It is emphasized that no party will be allowed to leave the British Zone unless nominal rolls have been stamped and signed by Intelligence Division to indicate security clearance.

13. Procedure for Repatriation/Emigration on a Collective Basis, for Certain Persons who do not qualify under Para 12 above.

(a) Groups of refugees and displaced persons, as defined in the constitution of the I.R.O. and of NON GERMAN nationals who do not enjoy the protection of any government, may be permitted to leave the British Zone of Germany.

(b) Individual Travel Documents and Exit Permits as laid down in Sec. 6, para 1 above, are required.

(c) Action by PW & DP Division

PW & DP Division

(i) will arrange for Intelligence Screening, for the transmission of applications for the issue of Temporary Travel Documents and/or Exit Permits to Entries & Exits Branch, Zonal Executive Offices, and for the subsequent issue of the documents to the individuals.

(ii) will satisfy itself that authority has been received

(a) for the admission to the country of ultimate destination of each individual whose name appears on the nominal roll;

and

(b) for their transit through intervening countries.

(iii) [illegible] before the departure of a group, will forward:-

(a) to Entries and Exits Branch, Z.E.O. BAD SALZUFLEN, [illegible] roll of those persons it is proposed to move;

A certificate concerning the stipulation at (ii) above.

(b) to Assistant Director, Port and Frontier Passport Control Office and to Intelligence Division (A3 Sub-section), -

One copy of nominal rolls. A statement indicating date of proposed move, place of departure, the part and place affiliating the international frontier and the mode of conveyance.

FINANCIAL - COLLECTION OF FEES

14. Charges

The following fees will be charged:

(a)	For a Temporary Travel Document	Reichsmark 30.-
(b)	For an Exit Permit, or for renewal or endorsement of same	" 2.-
(c)	For a Temporary Travel Document with Exit Permit	" 32.-
(d)	For renewal of a Temporary Travel Document	10.-
(e)	Team Transit Permit	2.-

15. Exemptions

Persons in the following categories, however, are exempt from payment of fees for travel documents, and exit permits.-

(a) Civilian personnel employed in Germany and Austria by the Western Occupying Powers.

(b) Diplomats and other persons to whom the Western Occupying Powers wish to extend special courtesy.

(c) Persons travelling on duty on behalf of the Western Occupying Powers.

(d) Dependants of civilian and military personnel employed in Germany and Austria by the Western Occupying Powers.

(e) Personnel employed in Germany by Welfare Organisations.

(f) Personnel of semi-official organisations in Germany serving the Occupational Forces in the Western Zones, (e.g. Army Exchange Service, N.A.A.F.I. etc.)

(g) Persons leaving Germany under certain officially sponsored schemes.

(h) Indigent persons, i.e. those persons who are genuinely destitute, and are therefore unable to pay the fees required.

16. Accounting

(a) When the document is received in the originating office, it will be delivered, on payment of the prescribed fee, to the applicant, who must sign it in the appropriate place in the presence of the official who hands it over. The latter will issue a receipt for the amount of the fee. If no fee is required to be collected the travel documents will be endorsed by the office which prepares the Document/Permit "Issued Gratis".

(b) The Oberbuergermeister/Landrat (or other German official) will keep a record and credit the fees so received to a special account to be maintained in the Kasse of the local authority.

(c) The balance of this account at the end of each month will be remitted to the zonal Hauptkasse on the first day of the succeeding month for the credit of Einzelplan XXVII Titel 7 of the Emergency Budget.

(d) Any fees received direct in Entries & Exits Branch offices will be handed to the local Oberbuergermeister/Landrat at convenient stated intervals and dealt with as in Para (b) above.

(e) All fees received within the British Sector of Berlin will be transmitted to the Magistrat of the city for the credit of occupation costs and not for the credit of the Zonal Emergency Budget.

for

Lieutenant-General,
Deputy Military Governor.

/Distribution: ...

APPENDIX 'A'
to ZEI No. 63
dated 19 October 1947.

SPONSORED VISITS OF CIVILIANS TO COUNTRIES OTHER THAN TO THE U.K. SPONSORSHIP FORM

NOTE: This application must be signed by the representative of the Sponsoring Division or Branch of C.C.G.

1. Surname and full Christian Names:
(In BLOCK CAPITALS)

2. Present Address:

3. Place of Destination:

4. (a) If the visit is at Invitation of an Organisation, name of such organisation:

5. (a) Proposed Date of Departure and Degree of Urgency:

(b) Proposed length of visit:

6. Reasons in full of visit:

7. (a) I certify that the above visit is desirable in the interests of re-education of Germany in the working of democratic institutions.

(b) I certify that the above journey is desirable in the interests of the British Occupational authorities.

(delete if not applicable)

Signed:

Division/Branch:

Date:

N.B. Sponsorship form required for U.K. Travel is contained in Z.E.I. 48(46) (second R visa)

APPENDIX 'B'
to ZEI No. 63
dated 13 October, 1947.

NOMINAL ROLL

COLLECTIVE EMIGRATION OR REPATRIATION

SURNAME	CHRISTIAN NAME	NATIONALITY	DATE & PLACE OF BIRTH	NO. DATE & PLACE OF ISSUE OF IDENTITY DOCUMENT OR PASSPORT	OCCUPATION

IPCO/039/Sec 5
Ext 267

SECRET

ZEOO/039/2/Sec G

Ext 267

Zonal Executive Offices,
60 H.Q. C.C.G.,
Lubbecke,
B.A.O.R. 1.

23rd January, 1948

To: Distribution as below

SUBJECT: TRAVEL OF CIVILIANS OUT OF GERMANY (BRITISH ZONE)

Z.E.I. No. 63 dated 13th October, 1947
Amendment No. 2 dated 23rd January, 1948

Addressees are requested to make the following amendments to the above Z.E.I.

1. Para 3
Delete sub para (a) and (b) and substitute:-

"(a) There are no restrictions provided:-
(i) the applicant is in possession of a valid National Passport.

(ii) There is no security objection.

In the case of visits, registered D.P's will be required to produce a statement from the C.C. Relief Detachment that there is no objection to the proposed journey".

Re-number sub para (c) as sub para (b).

2. Para 6
Sub para (a) line 1
Before "properly" insert "when travelling in uniform"

3. Para 8
Delete sub para (f) and substitute:-

"An application from a German or a stateless person to travel to a country other than the U.K. must be accompanied by a visa or consular letter authorising entry to the country of final destination.
This is not required from the holder of a valid National Passport".

for Major General
Chief of Staff and Deputy Military Governor.

Distribution:-
Standard Distribution List. C Col.1 Serials 1-6, 7-11, 13-30 (Less 17A)
" " " A Col.1 Serials 1-40, (Less 17,18,38)
" " " B Col.1 Serials 2-6 9.
C.T.B. Berlin (6)
P.C.O. Berlin (2)
Entries and Exits Branch, Berlin (50)
HQ BAOR (Q Movements) (20)
Zonal Travel Directorate
M(1) Movements (2)

46

Ext. 4.1.
ZEGO/039/2/Sec C.

Zonal Executive Offices,
CCG LUBBECKE,
60 HQ CCG,
BAOR, 1.

30 January, 1948.

To: Distribution below.

Subject: Z.E.I. No. 63 dated 13th October, 1947.
Amendment No. 3 dated 29th June, 1948.

Our letter of even reference dated 29th December refers. Will you please cancel Amendment No. 1 dated 29th December, 1947, to the above mentioned Z.E.I. and insert the following:-

"Para. 4. Delete last 5 lines, and substitute:-

A male German, between the ages of 18 and 65 years, applying to emigrate from Germany, will be required to produce a certificate from the Labour Office (Arbeitsamt) stating that he is not required now, nor likely to be in the near future, in Germany for employment in essential work."

for Major General, [illegible].
Chief of Staff and Deputy Military Governor.

DISTRIBUTION.

Standard Distribution List C Col. 1. Serials 1-6, 7-11, 13-30 (Less 17A)
" " " A " 1. " 1-40 (Less 17, 18, 38)
" " " B " 1 " 2-6 9

CTB Berlin (6)
PGO " (2)
E & E Branch, Berlin (50)

HQ BAOR (Q Mov) (20)
Zonal Travel Directorate
M (I) Mov (26)

45 44

Ext. 491

ZECO/06804/Sec G

Zonal Executive Offices,
CCG Lubbecke,
60 HQ CCG,
BAOR 1.

3 June, 1948.

To: Distribution as below

SUBJECT: ZEI No. 63 dated 13th October, 1947 - Amendment No. 4 dated 1st June, 1948

Addressees are requested to make the following amendment to ZEI No. 63 of 13th October, 1947 on "Travel of Civilians out of Germany (British Zone)":-

Para 4, after last line add:

"This clearance is not required for applicants in the British Sector of Berlin".

Major-General
Chief of Staff and
Deputy Military Governor

Distribution

Standard Distribution List C Col. 1 Serials 1-6, 7-11, 13-30 (Less 17A)
Standard Distribution List A Col. 1 Serials 1-40 (Less 17, 18, 38)
Standard Distribution List B Col. 1 Serials 2-6, 9

CTB Berlin (5)
PCO Berlin (2)
E & E Branch, Berlin (30)

HQ BAOR (Q Mov) (20)
Zonal Travel Directorate
M(I) Mov (20)

(Less 17A)
, 38)

(20)

(20)

Brigadier,
A/Deputy Chief of Staff (Executive).

DISTRIBUTION

Standard Distribution List 'A' Col.6 - Serials 1-4
List 'B' Col.6 - Serials 1,3
List 'C' Col.6 - Serials 1-25, 29, 31-32
List 'D' Col.6 - Serials 1, 5-11, 13, 15-19
List 'E' Col.6 - Serials 1-6
List 'F' Col.6 - Serials 1-8, 10, 13

HQ BAOR (Q Mov) (20)
Combined Travel Board, Bad Rothenfelde (10)
P.C.O. Berlin (10) For distribution to other P.C.Os. in the Zone.
Zonal Travel Directorate (20)

Ext. 267

ZECO/039/2/Sec.G

Zonal Executive Offices,
Lubbecke,
60 HQ CCG BAOR, 1.

21 June, 1948.

To: Distribution as below.

SUBJECT: Z.E.I. No. 63 dated 13th October, 1947.
Amendment No. 5 dated 21st June, 1948.

Reference para. 4 of the above quoted Zonal Executive Instruction.

Addressees are requested to delete the final passage of this paragraph beginning with the words - "A male German..."

for Major General,
Chief of Staff,
and Deputy Military Governor.

Distribution:

Standard Distribution List C Col. 1 Serials 1-6, 7-11, 13-30 (Less 17A)
Standard Distribution List A Col. 1 Serials 1-40 (Less 17, 18, 38)
Standard Distribution List B Col. 1 Serials 2-6, 9

CTB Berlin	(6)	HQ BAOR (Q Mov)	(20)
FCO Berlin	(2)	Zonal Travel Directorate	
F & E Branch, Berlin	(50)	M(I) Mov	(20)

Copy to: File ZECO/06804/Sec.G

Brigadier,
A/Deputy Chief of Staff (Executive).

DISTRIBUTION

Standard Distribution List 'A' Col.6 - Serials 1-4
List 'B' Col.6 - Serials 1,3
List 'C' Col.6 - Serials 1-24, 29, 31-32
List 'D' Col.6 - Serials 1, 5-11, 13, 15-19
List 'E' Col.6 - Serials 1-6
List 'F' Col.6 - Serials 1-8, 10, 13

HQ BAOR (Q Mov) (20)
Combined Travel Board, Bad Rothenfelde (10)
P.C.O. Berlin (10) For distribution to other P.C.Os. in the Zone.
Zonal Travel Directorate (20)

Ext. 312.

ZECO/039/2/Sec G.

Zonal Executive Offices,
CCG Lubbecke,
60 HQ CCG,
BAOR, 1.

25 August, 1948.

To: Distribution as below.

SUBJECT: ZEI No.63 dated 13th October, 1947
Amendment No.6 dated 23rd August, 1948.

The following amendment will be made to the above Zonal Executive Instruction forthwith:-

DELETE: Paragraph 14

SUBSTITUTE:

"Charges

(1) The following fees will be charged:-

(a) For a Temporary Travel Document DM.15

(b) For an Exit Permit or for renewal and endorsement of same .....DM. 5

(c) For a Temporary Travel Document with an Exit Permit DM.20

(d) For renewal of a Temporary Travel Document DM.10

(2) Fees for permits from the Soviet Zone to transit or enter the British Zone can be paid in either DM. or Ost Marks and are to be as follows:-

(a) One single or one return transit permit .....DM/OM. 5

(b) Repeated transit permit DM/OM.10

(c) One single or one return entry permit .....DM/ .10

(d) Repeated entry permit .....DM/OM.20"

[signature]
Brigadier,
A/Deputy Chief of Staff (Executive).

DISTRIBUTION

Standard Distribution List 'A' Col.6 - Serials 1-4
List 'B' Col.6 - Serials 1,3
List 'C' Col.6 - Serials 1-25, 29, 31-32
List 'D' Col.6 - Serials 1, 5-11, 13, 15-19
List 'E' Col.6 - Serials 1-8
List 'F' Col.6 - Serials 1-8, 10, 13
HQ BAOR (Q Mov) (20)
Combined Travel Board, Bad Rothenfelde (10)
P.C.O. Berlin (10) For distribution to other P.C.Os. in the Zone.
Zonal Travel Directorate (20)

ECO/039/Sec.G.

CTB Hereford (2) 60

ZONAL EXECUTIVE OFFICES

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 93 DATED 6TH FEBRUARY, 1950

TRAVEL OF GERMANS BETWEEN BERLIN AND THE BRITISH ZONE OF GERMANY BY AIR AND RAIL

For authority for deletions & amendments on this paper see p 112. Gn

1. INTRODUCTION

The purpose of this Instruction is to define the existing conditions of travel of Germans sponsored by the High Commission between Berlin and the British Zone of Germany.

TRAVEL BY AIR

2. The following categories of Germans are permitted to travel on the RAF Transport Command U.B.E. Service when air travel is essential:-

(a) Those travelling in the direct interest and on the orders of the U.K. element of the High Commission. Persons in this category will travel at the Foreign Office (German Section) expense.

(b) Those travelling in the interests of the City of Berlin and of the British Zone but not in the direct interest of the U.K. element of the High Commission. Persons in this category will travel at their own expense. The return fare charged is West Marks 129,--. (Children under 2 years of age free of charge and children between the ages of 2 and 12 years 50% of adult fare).

(c) Those travelling by reason of exceptional circumstances, for example, extremely urgent compassionate grounds. Such persons will travel at their own expense.

3. SPONSORSHIP

(a) Ex Berlin

(i) Political Branch, British Military Government is the only Branch authorised to sponsor Germans travelling for political purposes. Other Branches will therefore clear with Political Branch any journey sponsored for business purposes if the German concerned has political standing.

(ii) The only officers of British Military Government authorised to sign RAF Forms 2768 for travel at ~~Foreign Office~~ CCG expense are the DDMG, D/DDMG and the A/DDMG.

(iii) A list of officers authorised to act as sponsores for travel at individual's expense is given at Appendix 'A'. These are the only officers in Berlin entitled to sign RAF Form 2768; AND THEY MAY NOT DELEGATE THIS AUTHORITY.

(b) Ex British Zone

(i) A list of authorised sponsors of travel at ~~Foreign Office~~ CCG expense is attached at Appendix 'B'.

(ii) Officials shown at Appendix 'C' may sponsor the travel of Germans as described in para. 2 (b).

(iii) Officials listed in Appendix 'C' may also sponsor the travel of persons coming within the scope of para. 2 (c).

RECEIVED 17 FEB 1950 CTB L1-4831

4. DOCUMENTATION

Journeys ex Berlin and ex Zone require ten copies of RAF Form 2768 which will be completed by the sponsoring Branch. Five copies are for the outward journey and five for the return. For record purposes the cost of the passage (para. 13 of the form) will in all cases be shown as chargeable to ~~Foreign Office~~ (German ~~Section~~). For journeys ex Berlin the application forms will also be endorsed in the top left-hand corner with the Military Government stamp of the Branch concerned.

CCG

Applications in respect of Germans paying their own fare will be further endorsed in the top right-hand corner of the form "At individual's expense". Such applications will be signed by one of the officers named in Appendix 'A' for journeys ex Berlin; and by an official shown at Appendix 'C' for journeys ex Zone,

5. PROCEDURE

(a) Ex Berlin

(i) Applications of persons travelling at ~~Foreign Office~~ expense will be forwarded to the Secretariat for signature. A letter signed by the Head of the Branch or his deputy giving the reasons in full why the individual concerned should travel at Foreign Office expense must accompany all applications submitted. After signature of applications by the approving officer, forms will be returned to appropriate Branches for onward transmission to Travel Bureau, who will make the necessary reservations. It is the responsibility of sponsoring Branches to inform applicants of the date and time of their departure.

CCG.

(ii) Applications in respect of persons paying their own fare will be handed by the sponsoring Branch to the individual travelling who will be instructed to report to the Secretariat (Room 625) for final assessment. After approval of applications, passengers will report to Travel Bureau not later than 48 hours prior to date of intended travel. After Travel Bureau has confirmed the booking the passenger will report to No. 1 Pay Office to pay the fare and to collect Form C.A.1.

(b) Ex British Zone

(i) Applications of persons travelling at ~~Foreign Office~~ expense will be forwarded to the appropriate Officer as listed at Appendix 'B'. A letter signed by the sponsoring Branch giving full reasons why the individual should travel at Foreign Office expense must accompany all applications submitted; after documents have been signed they will be forwarded to the nearest Travel Bureau who will take all necessary action to secure reservations.

CCG.

(ii) Applications in respect of Germans paying their own fare will be submitted to the nearest Travel Bureau who will make necessary booking arrangements and collect fares due in DMs.

IN ALL CASES THE NAME OF THE OFFICER SIGNING APPLICATIONS WILL BE TYPEWRITTEN BENEATH HIS SIGNATURE.

6. ALLOCATION OF SEATS

Seats will be allocated on a "fill up" basis. In exceptional circumstances where seats are not available on this basis, and it is considered essential that the travellers should proceed on a specific date, reference will be made in the case of travellers ex Berlin to Travel Bureau, Berlin, and in the case of travellers ex the Zone, to Zonal Travel Directorate.

The only Germans who will be permitted to travel on the RAF Transport Command URB Service will be those travelling on the direct interest + on the orders of the U.K. Element of the High Commission when air travel is essential

The Cash Office will obtain the traveller's receipt for the money disbursed.

(iii) When a journey beyond Hannover is involved the initiating Branch will forward one copy of Form 205 to Travel Bureau, Cumberland House, not later than 6 days prior to travel, for onward transmission to Travel Bureau, Hannover, who will issue the warrants. A covering letter should be attached to the Form 205 stating what arrangements the Branch will make for collection of the warrants from Travel Bureau Hannover, if desired, Travel Bureau Hannover, can deposit the warrants at the Travel Bureau Kiosk on Hannover Station for collection.

(iv) No. 1 CCG Cash Office will obtain a receipt from the traveller for monies handed over.

(b) Ex British Zone

(i) Two or three copies (as appropriate) of CCG Travel Form 205 (provisional), obtainable from Travel Bureau, will be completed by the initiating Branch and countersigned by any of the officers listed at Appendix 'B'.

(ii) Two copies of the countersigned CCG Travel Form 205 will be forwarded to the nearest Cash Office, to which the intending traveller will be instructed to report in order to collect the fare money for the journey Hannover-Berlin and return where necessary (38.20 DM single 2nd class - 73.90 DM return 2nd class). The Cash Officer will obtain a receipt from the traveller for monies paid to him.

(iii) When a journey to Hannover is necessary one copy of Form 205 after countersignature, will be forwarded to the nearest Travel Bureau not less than 48 hours before the date of intending travel. The travel Bureau on receipt of this application form will complete a warrant for collection covering the journey to Hannover and return where applicable.

INTER-ZONAL PASSES

12. In all cases of travel by air or by rail, passengers must be in possession of a valid Inter-Zonal Pass, covering the full period of their visit and it is the responsibility of the initiating Branch to ensure this. Inter-Zonal Passes must be submitted with all applications for air and rail travel.

CANCELLATIONS

13. This instruction cancels all previous instructions on the subject of travel of Germans by air and rail between Berlin and the British Zone of Germany.

R. [illegible] for

Major General
Chief of Staff.

DISTRIBUTION
Standard Distribution List
Copy on EXEC/6826/1

Appendix 'A'

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LIST OF AUTHORISED SPONSORS FOR P.19 SERVICE

Serial	Rank and Name	Branch/Appointment
(a)	(b)	(c)
1	Brig. E.R. Benson, CBE	DDMG
2	Col. N.R. Salew, OBE	D/DDMG
3	Lt.Col. G. Marnham, OBE, MC	A/DDMG
4	Mr. C.H.L. Venn	Secretariat
5	Brig. J. Patrick, MC	Admin Commandant
6	Mr. I.P. Garran	Political Adviser
7	Mr. J.G. Disley	Political Branch
8	Lt.Col. C.G.W. White, DSO	Magistrat Liaison
9	Mr. H. Hays, MBE	Gov. Structure
10	Mr. L.E. Ditchfield	Education
11	Lt.Col. W.J.H. Courtis, R/RO	Finance
12	Mr. J.E. Edney, MBE, R/RO	Property Control
13	Mr. G. Turner	Information Services
14	Mr. S.J. Henry	Legal
15	Mr. C.T. Amoss	Manpower
16	Mr. J. Shepherd	P & T
17	Brig. (Retd) D.G. Cheyne, CBE, MC	Public Health
18	Mr. J.A. Chambers, MBM	AIG (Public Safety)
19	Mr. J.A.N. McEwen	REO (Econ Group)
20	Mr. R.F. Banfield	BRO Wilmersdorf/Tiergarten
21	Lt.Col. (Retd) C.I. Lee	BRO Charlottenburg
22	Mr. P.C. Bullock, OBE	BRO Spandau
23	Mr. W.D. Penfold, MBE	Econ Group
24	Mr. J.O. Abraham	12 (Berlin) Int. Staff

Notes: 1. Only serials 1, 2 and 3 may authorise travel at Foreign Office expense.

2. Urgent applications for persons travelling at individual's expense will, in the absence of an authorised sponsor, be forwarded by the sponsoring Branch to Secretariat for signature under special arrangements.

Appendix 'B'

APPOINTMENTS OF AUTHORISED SPONSORS FOR AIR TRAVEL OF GERMANS TO BERLIN FROM BRITISH ZONE AT FOREIGN OFFICE EXPENSE

LANDS: NORTH RHINE/WESTFALEN, NIEDERSACHSEN, SCHLESWIG HOLSTEIN - nd Head

DEPUTY LAND COMMISSIONER

HANESTADT HAMBURG - DEPUTY COMMISSIONER

WAHNERHEIDE - HEAD OF CHANCERY nts and xec) 'A'

EXECUTIVE OFFICES - ASSISTANT CHIEF OF STAFF 'A' fs of

CHIEF INTELLIGENCE DIVISION

el

or one nominated Deputy of either of the above.

ficer

ation

viser

viser

s Adviser

16.	Disposals Group	Head of Group
17.	Research Branch	Head of Branch
18.	Mandatory Requirements	Head of Branch
19.	Regional and Area Headquarters and Local Units	RAO or Administrative Commandant as appropriate
20.	British Timber Production Agency	The Controller or his Deputy
21.	Frankfurt Office and Bipartite and Tripartite Groups	Senior British Representative of Group
22.	Civil Aviation Branch	The Director of Civil Aviation or his Deputy
23.	Military Security Board	The Chief Secretary or as in 5 above

APPENDIX 'C'

APPOINTMENTS OF AUTHORISED SPONSORS FOR AIR AND RAIL TRAVEL FROM BRITISH ZONE TO BERLIN

Staff of:-	Authorising Official
1. Office of the Adviser to the UK High Commissioner Economic) Financial) Legal) Manpower) Education)	The Principal Adviser or Deputy
2. Chancery - Office of the UK High Commissioner	Political Director and Head of Chancery
3. Office of the Chief of Staff	Chief of Staff ACOS (A) ACOS (B)
4. Administrative Branches and Services under Chief of Staff in ZECO Area	Chief of Establishments and Organisation ACOS (Exec) 'A'
5. Divisions	Chief or Deputy Chiefs of Divisions
6. Zonal Travel Directorate	The Director of Travel
7. Zonal Office of the Controller-General, Posts and Telecommunications	The Head
8. Allied Liaison Branch	The Chief Liaison Officer
9. Education Branch	The Director of Education
10. Combined Travel Board (British Element)	The British Chief
11. Public Safety Branch	The Public Safety Adviser
12. Public Health Branch	The Public Health Adviser
13. Religious Affairs Branch	The Religious Affairs Adviser
14. Disarmament Branch	Director General
15. Interpreters' Group	The Director
16. Disposals Group	Head of Group
17. Research Branch	Head of Branch
18. Mandatory Requirements	Head of Branch
19. Regional and Area Headquarters and Local Units	RAO or Administrative Commandant as appropriate
20. British Timber Production Agency	The Controller or his Deputy
21. Frankfurt Office and Bipartite and Tripartite Groups	Senior British Representative of Group
22. Civil Aviation Branch	The Director of Civil Aviation or his Deputy
23. Military Security Board	The Chief Secretary or as in 5 above

Ext 213

Exec/039/1/Sec

Secretariat,
Office of the Chief of Staff,
Lubbecke,
BAOR 1.

8 February, 1950

To: Distribution below

SUBJECT: Cancellation of Zonal Executive Instructions

The following Zonal Executive Instructions are now out of date and are accordingly cancelled. All copies should be destroyed.

Z.E.I. No. 3(Final)	dated 7th March, 1947	- Denazification Measures in the British Zone.
Z.E.I. No. 4	dated 30th January, 1947	- Control Commission Broadcasts.
Z.E.I. No. 6	dated 14th February, 1947	- Travel of Germans between the British Zone and British Sector of Berlin.
Z.E.I. No. 10	dated 6th February, 1946	- Guide on the Implementation of Directive No. 24 (Removal from Office of Nazis, etc.).
Z.E.I. No. 13	dated 12th May, 1947	- Families Identity Cards.
Z.E.I. No. 14	dated 26th November, 1945	- Precautionary Measures against Civil Disturbances.
Z.E.I. No. 23	dated 14th May, 1947	- Allied Services Frontier Pass.
Z.E.I. No. 26	dated 4th May, 1946	- Transfer of Control of Land Schaumberg-Lippe.
Z.E.I. No. 31	dated 26th August, 1947	- Movement and Accommodation of German Civilians employed by Divisions etc. of the CCG.
Z.E.I. No. 35	dated 31st July, 1946	- Reception and Disposal of Obnoxious Germans returning from Neutral Countries.
Z.E.I. No. 39	dated 22nd August, 1946	- Liquidation of German Military and Nazi Monuments and Memorials.
Z.E.I. No. 43	dated 25th September, 1946	Repatriation of 'White' Prisoners of War from the U.K. to Germany.
Z.E.I. No. 45	dated 4th October, 1946	- Authorisation of Uniforms worn by Public Servants.
Z.E.I. No. 46	dated 11th January, 1947	- Responsibility for Organisation of C.I.C's.
Z.E.I. No. 51	dated 14th November, 1946	- Requisitioning of Schools for Temporary Housing Accommodation.
Z.E.I. No. 54	dated 30th November, 1946	- Categorisation and Disposal of War Criminals and Nazis.
Z.E.I. No. 58	dated 29th March, 1946	- Deutsch Gemeindeordnung.
Z.E.I. No. 61 (Superseding No.23)	dated 14th April, 1947	- Requisitioning of Allied and Neutral Property.
Z.E.I. No. 66	dated 28th October, 1947	- Visits to Civil Internment Camps.

W.R.D. Yeadell

Secretariat
(W.R.D. YEADELL)

DISTRIBUTION: (See over)

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COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

British Address	U.S. Address	French Address
Herford	Herford	S.P. 51084
B.A.O.R. 15.	A.P.O. 757, U.S. Army	B.P.M. 515

Tel: Herford 2941, Ext. 60

CTB/
277

17 February 1950

To: Office of the Chief of Staff
Lübbecke
B.A.O.R. 1

SUBJECT: Zonal Executive Instruction No. 63.

Reference BXRC/039/3 dated 8th February 1950, the circumstances connected with travel control have considerably changed, and many relaxations have been made in the travel regulations, since Z.E.I. 63 was first issued.

The Combined Travel Board issues to its various Branch Offices throughout the German Federal Republic detailed instructions concerning all matters relating to (1) travel policy and (2) the procedure for obtaining exit travel documentation. The Board considers, therefore, that in the present circumstances Z.E.I. 63 is no longer necessary and may be cancelled.

FOR THE COMBINED TRAVEL BOARD:

(S. NETHERCOTT)
for the Director
Internal Affairs Directorate.

DRAFT

EXTRADITION TRIBUNAL

RULES OF PROCEDURE

(AMENDED II)

1. Application for the extradition of a person accused of a war crime or a crime against humanity as defined by Article II of Control Council Law No. 10 will only be considered by the Tribunal if the acts alleged also amount to murder as defined in Section 211 of the German Penal Code. A satisfactory explanation as to why an application was not made before 1st September, 1948, must also be given by the Demanding Nation. Extraditions will only be considered where the crime was committed in the territory of the Demanding Nation.

2. The Tribunal shall consist of the Chief Magistrate, Hansestadt Hamburg or a legally qualified Magistrate or official deputed by him. In all cases in which a German national appears before the Tribunal a German Assessor will sit and will advise the Tribunal on any question of German law. The Tribunal is not bound to accept the advice tendered to it by the Assessor but where it does not do so, it will record such opinion in its record of the proceedings.

3. In the event of the presiding member being prevented from continuing by illness, or any other cause, the hearing shall be adjourned. The hearing shall be resumed when he is available, or started afresh before another president as the Chief Magistrate may decide provided that where an accused person is in custody the hearing shall be resumed within twenty-one days.

4. The Chief Magistrate shall be responsible for arranging the Court Calendar, keeping the Court Register, and for certain other duties hereinafter defined.

5. The Chief Magistrate may appoint interpreters, shorthandwriters, clerks, advisers and other officials, either generally, for a period or for the trial of a particular case. Any shorthand riter or interpreter shall, before assuming his duties, take an oath in the form for Control Commission Courts.

6. The proceedings will be public, but the Tribunal shall have power to hear any case in camera where the interests of security or good order demand, or for any other exceptional reason.

7. The case of the Demanding Power will be presented by a British Legal Officer, who alone in this behalf has the right of audience, and the Demanding Power may be represented in addition by an observer who may sit with the Demanding Officer, and advise him on the conduct of the case. Notice of all sittings of the Tribunal shall be given by the Chief Magistrate to Allied Liaison Branch not less than a week in advance, in order that the representative of the demanding nation concerned may have the opportunity of being present.

/8.

8. The Chief Magistrate may appoint any Magistrate to hear cases where the Demanding Officer asks only for an initial remand.

9. All proceedings before the Tribunal shall be initiated by the submission of an application to Allied Liaison Branch by a Demanding Nation for the extradition of the wanted person. The Chief Legal Officer, Hansestadt Hamburg, will consider whether a sufficiently clear case has been made out to justify the arrest of the wanted person. Should it be decided to make an arrest he will issue a warrant of arrest in the agreed form to Public Safety Branch. A description of the person sufficient for purposes of identification with, if possible, a photograph should accompany the evidence and the warrant.

10. Upon arrest, and during the period of investigation, the wanted person will be detained in such place as the Director of Penal Branch, Legal Division may designate. The person detained shall be informed within 48 hours of the charges against him.

11. Within 14 days of arrest, every accused person shall be brought before the Tribunal, informed again of the charges against him, and given an opportunity to be represented by counsel, and to show cause why extradition should not be granted. An initial remand will not exceed fourteen days.

12. The Tribunal shall hear all sworn oral and documentary evidence relevant to the question of the accused's extradition produced by the Demanding Officer, and by the accused. The accused shall have the right to be present throughout the proceedings, and to be represented by counsel, or to be heard on his own behalf. The Tribunal may receive in evidence depositions or statements on oath taken outside the British Zone and copies of such original depositions or statements and other official documents emanating from outside the British Zone provided that the authenticity thereof is supported by the oath of some witness or in the case of official documents by having been sealed by the competent official. The Tribunal is at liberty to receive depositions of statements taken in a procès-verbal.

13. A transcript of the evidence which the Demanding Officer proposes to use at the hearing shall be handed to the person on remand or to his lawyer.

14. Any lawyer with a right of audience of the Control Commission Courts may appear as defending counsel. The Tribunal may, with the consent of the accused, invite counsel to represent him if the nature of the case makes this desirable.

15. The Tribunal shall first satisfy itself that the accused is duly

/charged

of Germany, from the country to which he has been extradited. The war bill will be so endorsed.

23. On the conclusion of the case, the Tribunal will ask the parties to confirm that the evidence submitted is all that they desire to place before it and will then state:-

(a) that no additional evidence as to character will be accepted, and

(b) that no other additional evidence will be accepted or considered unless it is fresh evidence, is material, and could not have been adduced at the hearing.

24. The Tribunal has no power to decide whether an accused person shall be extradited or not, and upon conclusion of the hearing he will make his recommendation to the Principal Legal Adviser. A record will be kept of the proceedings, and the recommendation of the Tribunal will be made upon a Case Record containing the evidence submitted, together with a note of the proceedings.

25. The Presiding Magistrate shall be responsible for the making of the record, and the recommendation which will be signed by him.

26. A transcript of the shorthand note of the evidence shall, in the event of extradition being ordered, or where otherwise appropriate, after being certified by the presiding magistrate be supplied to the accused and a second copy forwarded to Allied Liaison Branch for onward transmission to the Demanding Nation.

27. Extradition will not be recommended if the person claimed by the Demanding Nation has been granted an amnesty by or under the authority of the Military Government or the Allied High Commission or since 8th May 1945 has been tried and acquitted or convicted for the crime for which his extradition is requested.

28. Where extradition is granted of a person charged with an offence before a Court in the British Zone or serving a sentence imposed by a Court in the British Zone for an offence other than that for which his extradition is demanded, the Principal Legal Adviser will state whether extradition is to take effect at once or to await the expiry of the sentence on the conclusion of the case.

29. The Order of the Principal Legal Adviser will be transmitted to the Chief Magistrate and shall be read out at a public sitting without delay. A copy of the Order shall at the same time be delivered to the accused or his lawyer and to Intelligence Division.

30. If the application for extradition is refused, the accused will be released forthwith.

/31.

31. In a case where extradition is granted, the Presiding Magistrate will issue an authority for extradition to Allied Liaison Branch for transmission to the Allied Mission concerned, which will be responsible for effecting the extradition within 28 days of the receipt of the necessary documents, and for giving notice at least 48 hours in advance of its intention to remove the accused to the Governor of the Prison to which the prisoner is transferred after promulgation of the Principal Legal Adviser's decision.

32. If a person whose extradition has been approved is not conveyed out of the British Zone within 28 days after the Order for his extradition has been notified to the Allied Mission, or to the Authority of the State making the application, the prisoner may in such event apply to the Tribunal to be released, and upon proof that reasonable notice of his intention so to apply has been given to the appropriate Authority of the State concerned, he shall normally be released by the Tribunal.

33. Permission may, however, be given to retain the prisoner for more than 28 days after extradition has been authorised, but only when due cause has been shown by the Demanding Nation why extradition could not be carried out in the time laid down. Such permission must be given in writing for each individual case, and must be only for a stated period. Up to fourteen days' extension can be granted by the Tribunal. Extension for any longer period can be granted only by the Principal Legal Adviser. Where any such longer period of extension is sought, the Tribunal will refer to the Principal Legal Advisor by immediate signal.

34. Within six months of the grant of each extradition the demanding Nation, through Allied Liaison Branch, will report the result of the trial and the sentence, if any. Should it appear that the person extradited has been acquitted or not brought to trial within six months, the Chief Legal Officer, Hansestadt Hamburg, unless the Demanding Nation shows adequate cause why the person extradited has not been tried, will request his return to the British Zone of Germany.

35. These rules are to be regarded as a guide in the conduct of the proceedings of the Extradition Tribunal and, though published have not the force of law. They may be varied or amended from time to time without notice and in no way detract from the inherent right of the Tribunal to control its own procedure.

36. These Rules do not apply to the British Sector of Berlin.

37. The Rules of Procedure (Amended 1) are hereby cancelled except that paragraph 1 thereof shall continue to apply in War Criminal cases, where extradition was demanded before the 1st September 1948, and in Traitor cases where extradition was demanded before the 1st March, 1949.

Appendix 'C' to Zonal
Executive Instruction
No. 71

dated ,1950

CERTIFICATE OF EXTRADITION OF UNWILLING WITNESS

On behalf of ..... Government it is undertaken that ..... of ..... is required as a witness in the trial of ..... taking place at ..... on or about the ..... day of ..... and that he will be returned to the place from which he is taken in the British Zone as soon as he is no longer required for the stated purpose and in any event not later than sixty days from the day he leaves the British Zone; and it is further undertaken that if it is decided to accuse the said ..... of a war crime or any other criminal offence that he will be returned as aforesaid to the British Zone for application to be made for his extradition or expulsion as the case may be in accordance with the provisions for the time being in force in the British Zone of Germany.

Signed this ..... day of .....

.....
(Signature)

.....
(Appointment)

Representative of the .....
Government in the British Zone of Germany

Official
Stamp

Appendix "D" to Zonal
Executive Instruction
No 71
dated 1950

CERTIFICATE OF REPRESENTATIVE OF .....
GOVERNMENT IN THE BRITISH ZONE OF GERMANY

It is hereby certified that the above-named .....
of ..... will be returned to his place
of residence as above within sixty days of leaving the British
Zone of Germany and that if the .....
Government decides to accuse him with a war crime or other criminal
offence he will be returned in the first instance to the British
Zone of Germany in order that proper application may be made
for his extradition or expulsion in accordance with the procedure
for the time being in force in the said Zone.

Signed this ..... day of .....
on behalf of the ..... Government.

....
(Signature & Appointment)

Signed in my presence

Witness .....

Date .....

Place .....

British Resident/Public Safety Officer.

D R A F T

Appendix 'A' to Zonal
Executive Instruction
No. 71

dated , 1950

CERTIFICATE OF WILLINGNESS TO LEAVE BRITISH ZONE AS WITNESS

I, ...

of .....

hereby certify that I am willing to leave the British Zone of Germany in order to appear as a witness before the Court of ..... in the trial of .....

or such other person or persons who may be brought before the Court and I understand that in signing this certificate I shall be returned to the place where I now am within sixty days of leaving the British Zone and that if the ..... Government decides to accuse me of any criminal offences then I shall be returned to the British Zone in order to have my case considered in the normal way by the British Zonal authorities.

.....
Signature

WITNESS

Signed in my presence

this ..... day

of .....

.....

British Resident/Public Safety Officer

Place .....

DRAFT

APPENDIX "A" TO
ZONAL EXECUTIVE INSTRUCTION NO.70
DATED 1950.

EXTRADITION TRIBUNAL

TERMS OF REFERENCE

I. GENERAL

1. The function of the Extradition Tribunal, the constitution of which is laid down in paragraph 13 of Zonal Executive Instruction No. 70 dated 1950, is :-

(a) to hear evidence advanced by Foreign Nations who apply for the extradition of War Criminals

(b) to enable persons whose extradition is demanded to show cause why an order for their extradition should not be made

(c) to recommend to the Principal Legal Adviser whether extradition should be authorised or refused.

2. The Tribunal is not a Court of Law, nor are its recommendations binding in any way upon the Principal Legal Adviser.

3. Rules of Procedure have been drawn up to enable the Tribunal to function justly and expeditiously. These rules are to be regarded as a guide to the Extradition Tribunal, and although published, have not the force of law. They may be amended from time to time, and may be varied by direction of the Principal Legal Adviser.

II. PROCEDURE

4. Every person in respect of whom an application for extradition is received shall be brought before the Tribunal within 14 days of arrest.

5. Evidence, whether oral or documentary, shall be sworn, subject to the special instructions with regard to "procès verbal" laid down in paragraph 17 of Zonal Executive Instruction No. 70 dated 1950.

The Tribunal shall hear each case in the same manner, as nearly as possible, as if the accused person were brought before a Summary Court for a preliminary enquiry under Article 16 of Ordinance No. 72 (Amended 1), or as later amended.

6. The Tribunal shall also satisfy itself that there is no objection to extradition on the part of the Control Commission on security or other grounds. (See ZEI No. 70 paragraphs 7 and 8).

7. The Tribunal shall have power to remand the accused in custody for a period not exceeding twenty-one days at any one time and for this purpose a Magistrate whether qualified in law or not may be deputed to act. The Chief Magistrate Hanseatic Hamburg shall watch that the investigation into the accused's case is not unreasonably protracted, and that the accused is not remanded in custody for an unnecessarily long period.

8. The Tribunal may at any time hear applications for bail. The Tribunal may not authorise the release on bail of an arrested person; but if, in his opinion, the facts justify release on bail, a recommendation to this effect will be forwarded to the Principal Legal Adviser, who will inform the Chief Magistrate whether a grant of bail is to be permitted, and the conditions thereof.

For the purpose of hearing bail applications, the Chief Magistrate Hanseatic Hamburg may depute a Magistrate whether qualified in law or not to act.

9. The Tribunal will make a recommendation in writing to the Principal Legal Adviser in every case that is brought before him, except where the application is withdrawn or no evidence is offered by the Demanding Nation.

10. The Tribunal's recommendation shall state the date of application by the Demanding Nation and whether or not, in his opinion a prima facie case has been established, and whether extradition is recommended or not, giving briefly the reasons therefor.

11. Special consideration will be given by the Tribunal to applications made on behalf of certain governments (the names of which will be communicated to the Chief Magistrate Hanseatic Hamburg by the Principal Legal Adviser), and the Tribunal will advise in such cases whether a strong prima facie case has been made that the accused person has actually committed the crime alleged and is deserving, according to British standards of justice, of a long term of imprisonment, or a capital sentence.

12. The Tribunal will when considering an application for the extradition of a German National be assisted by a German lawyer who will act as an assessor, and advise on points of German Law when necessary. The opinion of the assessor will also be recorded, and [illegible] with the recommendation.

/a Judgment .....

13. A Judgment of a Foreign Court delivered in absentia may properly be regarded as leading towards the establishment of a prima facie case, but the Tribunal need not regard it as a definitely establishing one. Acting on new matter raised before him, he is at liberty to go behind the Foreign judgment, and to make a recommendation independently of that judgment, if he considers that the person demanded did not deliberately break the law, and that he acted through ignorance of his position, or from some other innocent cause.

14. The detailed instructions contained in Zonal Executive Instruction No. 70 and any amending or substituting instructions will be valid.

15. The Chief Magistrate, Hansestadt Hamburg, will be responsible for the duties of the Extradition Tribunal under the Rules of Procedure for the Extradition Tribunal, and Instructions for the time being in force.

III. CANCELLATIONS

16. The Terms of Reference for the Extradition Tribunal issued under reference ZECO/10133/1/Sec.G, dated 4th November, 1948, are hereby cancelled, except paragraphs 6 and 7, which will continue for applications in respect of Traitors and Collaborators made before 1st March, 1949.

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Exec/039/G

SECRET

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER
AND DEPUTY CHIEF OF STAFF (EXECUTIVE)

ZONAL EXECUTIVE INSTRUCTION NO. 71

DATED 1950

INSTRUCTIONS REGARDING WITNESSES AND PERSONS REQUIRED FOR INTERROGATION.

INTRODUCTION

1. These instructions concern the disposal of witnesses and persons required for investigation in connection with the trial of war criminals.

2. Any witness or other person required in connection with such investigations within the British Zone may, if necessary, be ordered to present themselves at the time and place appointed.

WITNESSES AND OTHER PERSONS REQUIRED FOR INVESTIGATION BY FOREIGN GOVERNMENTS WHO ARE WILLING TO LEAVE THE BRITISH ZONE.

3. Three copies of all applications will be forwarded by the Foreign Government concerned to Allied Liaison Branch, who will forward one to the Chief Legal Officer, Hansestadt Hamburg, and another to Intelligence Division, who will, in approved cases, forward security clearance to the Chief Legal Officer, or will inform him that the person concerned may not be permitted to leave the Zone on security grounds.

4. Such an application must include a certificate of willingness as set out in Appendix "A" hereof from the person concerned, signed in the presence of, and witnessed by, a British official who should be a Public Safety Officer or a British Resident. It must also include a certificate as set out in Appendix "B" hereof, signed by a representative of the Foreign Authority concerned, that the person will be returned to his place of domicile or detention in the British Zone within sixty days of leaving the British Zone and that if such Foreign Authority decides to accuse the person concerned with war crime or other criminal offence, he will be returned to the British Zone in order that his case may be considered in the normal way under the regulations for the time being in force relating to extradition and expulsions.

5. As soon as the Chief Legal Officer has obtained security clearance and is satisfied that the conditions stated in paragraph 4 above have been fulfilled, he will notify his approval of the application to Intelligence Division, Allied Liaison Branch and to Combined Travel Board so that a

a Temporary Travel Document can be issued.

6. Allied Liaison Branch will issue a Temporary Travel Document endorsed with a Military Exit Permit to the Allied authority making the application.

7. The Foreign Authority will be requested to report to Allied Liaison Branch the date on which the person concerned leaves the British Zone, and this information will be passed to the Chief Legal Officer, Hansestadt Hamburg.

8. After sixty days have elapsed from the time when the person concerned leaves the British Zone, the Chief Legal Officer will make enquiries whether the person has been returned to the British Zone. If not, he will inform Allied Liaison Branch and will also notify the Office of the Chief of Staff at the same time.

EXTRADITION OF UNWILLING WITNESS OUTSIDE THE BRITISH ZONE.

9. It is considered that the compulsory extradition of witnesses is undesirable and should only be considered in the most exceptional circumstances. In such cases, three copies of the application should be forwarded to Allied Liaison Branch who will forward one copy to the Principal Legal Adviser and another to Intelligence Division.

10. Security clearance will be obtained as stated in paragraph 3 above. Political clearance will also be obtained (See ZEI No. 70 paragraph 8).

11. Such an application must always include a certificate, as set out in Appendix "C" hereof that (a) the Foreign Authority concerned will return the person to his place of domicile or detention in the British Zone within sixty days of leaving the British Zone, and (b) if such a Foreign Authority shall decide to accuse the person concerned with a war crime or any other criminal offence, he will be returned to the British Zone, in order that an application be made for his Extradition or expulsion as the case may be, and his case considered in the normal way, after application made to Allied Liaison Branch. Applications must state the anticipated date of the trial for which the witness is required.

12. The Principal Legal Adviser, if he considers that there are exceptionally strong reasons for permitting extradition and he is satisfied that the

extradition is requested in accordance with paragraph 1, Article IV of Control Council Law No. 10 and that the refusal of extradition would result in a grave miscarriage of justice, will make the appropriate order and will notify Allied Liaison Branch, the Chief Legal Officer, Hansestadt Hamburg and Combined Travel Board.

13. Where the arrest of an unwilling witness is considered absolutely necessary to effect extradition, and he is not already under arrest, the Chief Legal Officer, Hansestadt Hamburg will issue a warrant of arrest, to the Office of the Public Safety Adviser in accordance with Control Council Law No. 10.

14. The Chief Legal Officer and Allied Liaison Branch will then take action similar to that in paragraphs 5, 6 and 7 above. The Chief Legal Officer will endeavour to ensure that the witness is not detained for an unnecessarily long time, and that he is not extradited earlier than fourteen days before the commencement of the trial for which he is required.

EXTRADITION OF PERSONS REQUIRED FOR INVESTIGATION OUTSIDE THE BRITISH ZONE.

15. The extradition of persons required for investigation, who are unwilling to leave the British Zone, will not be sanctioned.

EFFECTIVE DATE

16. The terms of this instruction will be applied with effect from the date of its signature, to all outstanding and future cases.

CANCELLATION

17. Zonal Executive Instruction No. 71 dated the 18th March, 1948 is hereby cancelled.

SECRET

DRAFT

Exec/039/G

Seen by Secretariat folios 62-81

22/2/50

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER
AND DEPUTY CHIEF OF STAFF (EXECUTIVE)

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 70 DATED , 1950

Procedure relating to Extradition of persons wanted for crimes as defined in Article II of Control Council Law No. 10

INTRODUCTION

1. This Instruction lays down the procedure for the Extradition of persons in the British Zone, who are alleged to have committed a war crime or crimes against humanity, and whose surrender is requested by a Foreign Nation.

APPLICATION FOR EXTRADITION

2. An application for the Extradition of a person accused of a War Crime, or crime against humanity, as defined in Article II of Control Council Law No. 10, will be considered only if it is also the offence of Murder, as defined in Section 211 of the German Penal Code.

3. Every application for Extradition will be made to Allied Liaison Branch, who will forward one copy to the Chief Legal Officer, Hansestadt Hamburg (hereinafter designated "Chief Legal Officer"), and one to Intelligence Division.

4. Each application will be accompanied by such evidence as would justify the arrest of a person for an offence alleged to have been committed in the British Zone, and triable in a Control Commission Court. In each case, a certified translation in English of the Evidence will be submitted in triplicate, together with the present address of the wanted person.

5. The Demanding Nation, in submitting the application, shall be required to give an explanation why the request for Extradition was NOT made before the 1st September, 1948.

PRELIMINARY CONSIDERATION, CLEARANCES, AND ARREST

6. On receipt of an application, the Chief Legal Officer will consider whether a sufficiently clear case has been made to justify the arrest of the wanted person.

7. In each case, where the grounds for arrest are sufficiently established, the Chief Legal Officer will first ascertain from Intelligence Division whether there are any objections to extradition for reasons of security.

/8.

M. Olivier-Martin

Ref. Mr. Cross' minute on p. 82.

I cannot agree with the views expressed by Mr Cross. The disposal of war criminals is a matter for the individual High Commissioner (Sec. V of the High Commissioners Charter).

I maintain that there can be no objection to the proposal in paragraph 28 of the draft ZEI that the Extradition Order shall constitute the authority for exit of the prisoner from Germany. These persons are excused exit permits and passports or TTDs under the Tripartite Agreement.

If you agree, I propose to reply to p. 82 to the effect that C.T.B. does not desire to offer any objection to the proposed procedure.

It will be necessary to ensure that the copy of the Extradition Order received in C.T.B. is properly indexed + filed so that in case of future reference it will be seen at once that the individual was an extradited war criminal.

C. Mackenzie
23/2/50

89

Ext 350

Exec/039/1/Sec

Secretariat,
Office of the Chief of Staff,
Lubbecke,
BAOR 1.

21 February, 1950

To: Distribution below

SUBJECT: Cancellation of Zonal Executive Instruction

Z.E.I. No. 56 dated 15th September, 1947, on the subject of 'Functions and Responsibilities of ZSO', is now out of date and is accordingly cancelled. All copies should be destroyed.

Attached hereto is a Memorandum setting out the present organisation and duties of the Statistical Organisation, issued in lieu of Z.E.I. No. 56.

Secretariat
(P. KIRCHNER)

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ZONAL EXECUTIVE OFFICES

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 93 DATED 6TH FEBRUARY, 1950

AMMENDMENT NO.1

TRAVEL OF GERMANS BETWEEN BERLIN AND THE BRITISH ZONE OF GERMANY BY AIR AND RAIL

1. In the following places:

Para.2. (a)
" 3. (a) (ii)
(b) (i)
" 4.
" 5. (a) (i)
(b) (i)
Appendix 'A' Note 1
" 'B' Heading

Delete "Foreign Office, (German Section) expense."
Insert "H.M.Gs expense."

2. Appendix 'A' Serial 9

Delete "Mr. H. Hays, MBE."
Insert "Mr. D.G. Adams, DSO, OBE, TD."

3. Appendix 'B'

Add under Executive Offices -
"Chief Liaison Officer"
"Head Research Branch."

Major-General
Chief of Staff

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COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

British Address	U.S. Address	French Address
Herford	Herford	S.P. 51084
B.A.O.R. 15.	A.P.O. 757, U.S. Army	B.P.M. 515

Tel : Herford 2941, Ext. 60

CTB/277

6 March 1950

SUBJECT: Extradition Rules of Procedure

TO: Office of the Legal Adviser
Herford
B.A.O.R. 15

1. Reference your 1/2/510/40 dated 16 February 1950, this is to confirm conversation SANGER/NETHERCOTT of 2 March 1950 to the effect that the Combined Travel Board has no objection to offer to the procedure laid down in the draft ZEI enclosed with your letter.

2. It is of course important to ensure that ~~the~~ a copy of the Extradition Order is in every case forwarded to the Board.

FOR THE COMBINED TRAVEL BOARD:

C. NETHERCOTT
for Director
Internal Affairs Directorate

(92)

SUBJECT:- Z.R.I's 70 and 71
Extradition Rules of Procedure

ALB/4066/WE
Allied Liaison Branch,
BAD SALZUFLEN,
B.A.O.R.15.

4 March 1950.

To:- Legal Adviser's Zonal Office,
HERFORD, B.A.O.R.15.

see folio 82

Ref your L/Z/510/40 dated 16 February 1950 and conversation LANZON/SANGAR on 2 March 1950.

The Branch has no comments to make on the drafts enclosed with your letter under reference.

for Brigadier,
Chief Liaison Officer.
(Maj A.J. LANZON)

Tel: 2261
JW

Copy to:- 'G' Section,
Office of Chief of Staff, LUNEBURG

Public Safety Adviser's Zonal Office,
BUNDE.

Intelligence Division,
HERFORD

Combined Travel Board,
HERFORD

Chief Legal Officer,
Commissioner's Office, HAMBURG

Chief Magistrate,
Commissioner's Office, HAMBURG.

C T E Hosford

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Exec/039/G

SECRET

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER
AND DEPUTY CHIEF OF STAFF (EXECUTIVE)

ZONAL EXECUTIVE INSTRUCTION NO. 71 (REVISED)

DATED: 7TH MARCH, 1950

INSTRUCTIONS REGARDING WITNESSES AND PERSONS REQUIRED FOR INTERROGATION

INTRODUCTION

1. These instructions concern the disposal of witnesses and persons required for investigation in connection with the trial of war criminals.

2. Any witness or other person required in connection with such investigations within the British Zone may, if necessary, be ordered to present themselves at the time and place appointed.

WITNESSES AND OTHER PERSONS REQUIRED FOR INVESTIGATION BY FOREIGN GOVERNMENTS WHO ARE WILLING TO LEAVE THE BRITISH ZONE

3. Three copies of all applications will be forwarded by the Foreign Government concerned to Allied Liaison Branch, who will forward one to the Chief Legal Officer, Hansestadt Hamburg, and another to Intelligence Division, who will, in approved cases, forward security clearance to the Chief Legal Officer, or will inform him that the person concerned may not be permitted to leave the Zone on security grounds.

4. Such an application must include a certificate of willingness as set out in Appendix "A" hereof from the person concerned, signed in the presence of, and witnessed by, a British official who should be a Public Safety Officer or a British Resident. It must also include a certificate as set out in Appendix "B" hereof, signed by a representative of the Foreign authority concerned, that the person will be returned to his place of domicile or detention in the British Zone within sixty days of leaving the British Zone and that if such Foreign Authority decides to accuse the person concerned with a war crime or other criminal offence, he will be returned to the British Zone in order that his case may be considered in the normal way under the regulations for the time being in force relating to extradition and expulsions.

5. As soon as the Chief Legal Officer has obtained security clearance and is satisfied that the conditions stated in paragraph 4 above have been fulfilled, he will notify his approval of the application to Intelligence Division, Allied Liaison Branch and to Combined Travel Board so that a Temporary Travel Document can be issued.

6. Allied Liaison Branch will issue a Temporary Travel Document endorsed with a Military Exit Permit to the Allied authority making the application.

7. The Foreign Authority will be requested to report to Allied Liaison Branch the date on which the person concerned leaves the British Zone, and this information will be passed to the Chief Legal Officer, Hansestadt Hamburg.

8. After sixty days have elapsed from the time when the person concerned leaves the British Zone, the Chief Legal Officer will make enquiries whether the person has been returned to the British Zone. If not, he will inform Allied Liaison Branch and will also notify the Office of the Chief of Staff at the same time.

EXTRADITION OF UNWILLING WITNESS OUTSIDE THE BRITISH ZONE.

9. It is considered that the compulsory extradition of witnesses is undesirable and should only be considered in the most exceptional circumstances. In such cases, three copies of the application should be forwarded to Allied Liaison Branch who will forward one copy to the Principal Legal Adviser and another to Intelligence Division.

10. Security clearance will be obtained as stated in paragraph 3 above. Political clearance will also be obtained (See ZEI No. 70 paragraph 8).

11. Such an application must always include a certificate, as set out in Appendix "C" hereof that (a) the Foreign Authority concerned will return the person to his place of domicile or detention in the British Zone within sixty days of leaving the British Zone, and (b) if such a Foreign Authority shall decide to accuse the person concerned with a war crime or any other criminal offence, he will be returned to the British Zone, in order that an application be made for his Extradition or expulsion aw the case may be, and his case considered in the normal way, after application made to Allied Liaison Branch. Applications must state the anticipated date of the trial for which the witness is required.

12. The Principal Legal Adviser, if he considers that there are exceptionally strong reasons for permitting extradition and he is satisfied that the extradition is requested in accordance with paragraph 1, Article IV of Control Council Law No. 10 and that the refusal of extradition would result in a grave miscarriage of justice, will make the appropriate order and will notify Allied Liaison Branch, the Chief Legal Officer, Hansestadt Hamburg, the Combined Travel Board and Intelligence Division.

13. Where the arrest of an unwilling witness is considered absolutely necessary to effect extradition, and he is not already under arrest, the Chief Legal Officer, Hansestadt Hamburg will issue a warrant of arrest, to the Office of the Public Safety Adviser in accordance with Control Council Law No. 10.

14. The Chief Legal Officer and Allied Liaison Branch will then take action similar to that in paragraphs 5, 6 and 7 above. The Chief Legal Officer will endeavour to ensure that the witness is not detained for an unnecessarily long time, and that he is not extradited earlier than fourteen days before the commencement of the trial for which he is required.

EXTRADITION OF PERSONS REQUIRED FOR INVESTIGATION OUTSIDE THE BRITISH ZONE

15. The extradition of persons required for investigation, who are unwilling to leave the British Zone, will not be sanctioned.

EFFECTIVE DATE

16. The terms of this instruction will be applied with effect from the date of its signature, to all outstanding and future cases.

CANCELLATION

17. Zonal Executive Instruction No. 71 dated the 18th March, 1948 is hereby cancelled.

CTB 10-MAR-1950

CIN 9767

P. O. Culverman for

Major General,
Chief of Staff

Appendix 'A' to Zonal
Executive Instruction No. 71
(REVISED)

dated 7th March, 1950

CERTIFICATE OF WILLINGNESS TO LEAVE BRITISH ZONE AS WITNESS

I, ...

of .....

hereby certify that I am willing to leave the British Zone of Germany in order to appear as a witness before the Court of ..... in the trial of .....

or such other person or persons who may be brought before the Court and I understand that in signing this certificate I shall be returned to the place where I now am within sixty days of leaving the British Zone and that if the ..... Government decides to accuse me of any criminal offences then I shall be returned to the British Zone in order to have my case considered in the normal way by the British Zonal authorities.

.....
Signature

WITNESS

Signed in my presence

this ..... day

of .....

.....

British Resident/Public Safety Officer

Place .....

Appendix 'B' to Zonal
Executive Instruction No. 71
(REVISED)

dated 7th March 1950

CERTIFICATE OF REPRESENTATIVE OF .....
GOVERNMENT IN THE BRITISH ZONE OF GERMANY

It is hereby certified that the above-named ..... of ..... will be returned to his place of residence as above within sixty days of leaving the British Zone of Germany and that if the ..... Government decides to accuse him with a war crime or other criminal offence he will be returned in the first instance to the British Zone of Germany in order that proper application may be made for his extradition or expulsion in accordance with the procedure for the time being in force in the said Zone.

Signed this ..... day of ..... on behalf of the ..... Government.

.....
(Signature and Appointment)

Signed in my presence

Witness .....

Date .....

Place .....

British Resident/Public Safety Officer

Appendix 'C' to Zonal
Executive Instruction No. 71 (Revised)

dated 7th March, 1950

CERTIFICATE OF EXTRADITION OF UNWILLING WITNESS

On behalf of ..... Government it is undertaken that ..... of ..... is required as a witness in the trial of ..... taking place at ..... on or about the ..... day of ..... and that he will be returned to the place from which he is taken in the British Zone as soon as he is no longer required for the stated purpose and in any event not later than sixty days from the day he leaves the British Zone; and it is further undertaken that if it is decided to accuse the said ..... of a war crime or any other criminal offence that he will be returned as aforesaid to the British Zone for application to be made for his extradition or expulsion as the case may be in accordance with the provisions for the time being in force in the British Zone of Germany.

Signed this ..... day of .....

.....
(Signature)

.....
(Appointment)

Representative of the .....
Government in the British Zone of Germany

Official
Stamp

Ref: INT.DIV/S3/EVW/22211

CONFIDENTIAL

Tel: Herford 2217

Intelligence Division,
HERFORD,
BAOR 15

24 January 1950

To: Economic Section,
Office of the Chief of Staff,
LÜBBECKE,
BAOR 1

SUBJECT: Allied Forces Frontier Passes (A.F.F.P.)-
ZEI No. 23

1. Please refer to letters reference EXEC/6800/9/ECON dated 15th November, 1949 and BAOR/53912/G(SD 1b) dated 9th December, 1949 and telecon FLETCHER/WIGGINS of 16th January 1950.

2. It is suggested that Z.E.I. No. 23 be cancelled and the following amendment made to Z.E.I. No. 8:-

Appendix 'G' Part II

Para 3(b) (i) (Page 43)

Delete the words "Allied Services - Frontier Pass (See Annexure 1 to this Appendix)".

Add "Standard movement orders issued by Allied Countries providing an occupying contingent in the British, US or French Zones".

Para 3(b) (ii) (b) (Page 44)

Amend to read as follows:

"(b) Army

(i) Allied Services Frontier Pass (See Annexure 1 to this Appendix)

(ii) AFW 3145 (Combined Leave Pass and Railway Warrant)".

3. If the foregoing suggestion is adopted, Headquarters, BAOR would become solely responsible for the printing and issue of Allied Forces Frontier Passes and the A.F.F.P., together with a valid identity document would continue to be recognised as authority for the individual movement of United Kingdom personnel of BAOR to cross the international frontier.

4. This solution should meet the requirements of all concerned and is therefore submitted to you for decision. If it is agreed then Zonal Travel Directorate should be asked to hand over the remaining stock of A.F.F.Ps to Headquarters, BAOR, G(SD 1b).

(W.J. ARMSTRONG-BUISSERET)
for Major-General,
Chief, Intelligence Division

EVW

Copy to: HQ BAOR G(SD1b) (Conversation Capt.Ball/Wiggins ref)
" " Zonal Travel Directorate (Conversation Mr.Sargeant/Wiggins ref)
Bad Salzuflen, BAOR 15
" " Combined Travel Board, HERFORD, BAOR.15 (Conv.Mr.Sedgeley/Wiggins ref)
" " "Flag Officer Germany", HAMBURG, BAOR 3
" " HQ, BAFO
" " Allied Liaison Branch, Bad Salzuflen, BAOR 15
" " Frontier Inspection Service, CUXHAVEN
" " Office of the Public Safety Adviser, BUNDE, BAOR

OFFICE OF THE CHIEF OF STAFF

EXEC/039/FIN RESTRICTED

ZONAL EXECUTIVE INSTRUCTION NO. 24

DATED 7th March, 1950

FINANCING OF "BRITISH CENTRES" OPERATED BY

THE OFFICE OF THE EDUCATIONAL ADVISER AS

FROM 1st JANUARY 1950

(Note 1. "British Centres" is the new designation of the Information Centres in the British Zone which were operated by Information Services Division.
Note 2. The administration of "British Centres" will be in the hands of the Centres Administration Branch, Office of the Educational Adviser, Bünde).

I GENERAL

1. In so far as German authorities do not co-operate at their own expense, the expenditure incurred in connection with these special activities will be paid from a cash account fed by Expenditure Branch from funds belonging to H.M.G., and not from the Mandatory Budget. Necessary supplies/services will be arranged for by Centres Administration Branch direct from German sources, and without the use of Mandatory procedures, and will be paid for direct to German suppliers, save in exceptional cases where practical considerations require that Mandatory procedures be continued. (The DM cost of facilities supplied mandatorily will, however, require to be reimbursed by Centres Administration Branch. These DM expenditures will have been initially debited, by the Landeshauptkasse concerned, either to an Occupation Cost/Mandatory Expenditure Einzelplan, or to a Suspense Account, the latter applying to the pay of German staff only. Repayment will be made to the Landeshauptkasse for the credit to the Einzelplan originally charged, or to the Suspense Account, as the case may be. (Para. 3 below refers).

2. Expenditure will be authorised by Sub-Budget Control Officers in each Land in accordance with such powers as may be delegated to them by the Budget Control Officer at H.Q. Centres Administration Branch, and bills will be rendered by the former to the latter for settlement. The Budget Control Officer may, however, at his discretion, place at the disposal of Sub-Budget Control Officers such cash floats from his main account as may be necessary for the settlement of such outgoings as he has authorised for local settlement without prior reference to him.

II REPAYMENT TO HAUPTKASSEN

3. In cases where Occupation Costs/Mandatory Expenditure have been initially debited, the amounts to be repaid to a Landeshauptkasse will be agreed, as may be necessary, between the supplying unit and the Budget Control Officer (or Sub-Budget Control Officer if appropriate in accordance with paragraph 2 above) of Centres Administration Branch, and the latter will take the following action:

(a) remit the amount by cheque to the Landeshauptkasse with instructions that the latter credit the amount to the given coding of Occupation Costs/Mandatory Expenditure, or to the Suspense Account, as appropriate; Senior Finance Officers at Land Commissioners' Offices will, on application, supply addresses of Hauptkassen or any other technical guidance necessary;

(b) request the Hauptkasse to acknowledge receipt of the remittance and to advise the supplying unit (whose full designation and address must be given) that credit to the coding indicated has duly been effected;

Control Board (B)

III.

EXEC/939/FIN

28 March, 1950

CONTROL COMMISSION FOR GERMANY

ZONAL OFFICES

AMENDMENT NO. 2 TO ZONAL EXECUTIVE INSTRUCTION NO. 89

DATED 17th SEPTEMBER, 1949

POWERS WITH REGARD TO INVESTIGATION AND WRITE-OFF OF LOSSES OF CONTROL COMMISSION CASH AND STORES

Please cause the following amendments to be made to ZEI No. 89:-

Appendix "D"

Delete existing text of para 4 (b), substitute the following:-

"The procedure to be followed consequentially to a Board of Investigation or any other report expressing the opinion that a member of CCG is in any way responsible for the loss of or damage to cash or stores is laid down in Personnel Administration Branch Instruction No. 17/50 dated 16th February, 1950".

Delete para 4 (c), remember existing para 4 (f) as 4 (c).

Delete para 6, insert:-

"6. Procedure

The procedure for convening and conducting Boards of Investigation is set out in Personnel Administration Branch Instruction No. 67/49 dated 12th August, 1949."

Major General,
Chief of Staff to the United Kingdom High Commissioner.

EXEC/039/G

ZONAL EXECUTIVE OFFICES

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 93 DATED 6TH FEBRUARY, 1950

AMENDMENT NO. 2 DATED 4TH APRIL, 1950

TRAVEL OF GERMANS BETWEEN BERLIN AND THE BRITISH ZONE OF GERMANY BY AIR AND RAIL

I. It has been decided that those categories of Germans who have been permitted to travel by R.A.F. service on repayment will no longer be permitted to do so but must make their own arrangements to travel by commercial air routes or by train.

(a) The following deletions will therefore be made to ZEI No. 93:-

Para 2
" 3(a)(iii)
" 3(b)(ii) and (iii)
" 4 from "Applications in respect....." to end of para.
" 5(a)(ii)
" 5(b)(ii)

(b) A new para will be inserted:-

"The only Germans who will be permitted to travel on the RAF Transport Command UKB Service will be those travelling in the direct interest and on the orders of the UK Element of the High Commission when air travel is essential."

II. In the following places:-

Para 3(a)(ii)
" 3(b)(i)
" 4
" 5(a)
" 5(b)

delete "HMG's expense"
insert "CCG expense".

Major General
Chief of Staff

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EXEC/030/G

18th April, 1950

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE OFFICES

LR 1487

ZONAL EXECUTIVE INSTRUCTION NO.36 (REVISED)

DATED 17th DECEMBER, 1949

AMENDMENT NO. (2) DATED 18TH APRIL 1950

Page 3 Paragraph 10: NOTE

Line 3 delete "requisition" insert "de-requisition".

Line 4 insert full stop after "Standing Accommodation Committee".

Line 4 delete "and wherever possible at least 14 days days notice of intended derequisitioning should be given to the British Resident".

Distribution - Z.E.I. Standard Distribution List.

Noted

JBPM

(F.N.P. BULL)

Combined Trade Board Herford

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EXEC/039/[illegible]

OFFICE OF THE CHIEF OF STAFF TO THE UNITED KINGDOM
HIGH COMMISSIONER

ZONAL EXECUTIVE INSTRUCTION NO. 90 (REVISED)

DATED 28TH APRIL, 1950

OCCUPATION COSTS AND MANDATORY EXPENDITURES:
POWERS OF TRANSFER AND APPLICATIONS
FOR SUPPLEMENTARY ESTIMATES

(This Instruction supersedes Zonal Executive Instruction No.90 dated 22nd September, 1949)

I. POWERS OF TRANSFER

1. The procedure outlined in this Instruction applies both to the Services and CCG.

2. Approved estimates of Occupation Costs and Mandatory Expenditures, Classes I and II, are classified as grants and are dealt with separately.

3. No transfers may be made between the Occupation Costs and the Mandatory Expenditure grants. Transfers may, however, be made between the eleven main Budget headings of the Occupation Costs' grant (these headings are listed in Appendix "A") and between the categories (Purposes) and Natures of Service of the Mandatory Expenditure grants.

4. Transfers which are permissible in accordance with paragraph 3 above, may not be effected without the approval of the appropriate authority as defined below.

5. Transfers within each grant but between the Services and CCG

The total amount allotted within each grant to each of the Services and the CCG may be altered in the form of transfers between those allotments only with the approval of the Chief of Staff to the High Commissioner. Applications, supported by detailed reasons in justification, will be addressed as follows for submission to the appropriate Estimates Committee.

(a) Services

Applications to be addressed to the Director of Expenditure, Financial Adviser's Office, Minden, B.A.O.R.1, with copies to Finance Branch, Office of the Chief of Staff, Lubbecke, B.A.O.R.1

(b) CCG

Applications to be addressed to Finance Branch with copies to the Director of Expenditure.

6. Transfers within each approved grant and within each allotment to the Services and CCG

Essential transfers between main Budget headings in the case of Occupation Costs, and between Expenditure Purposes or Natures of Service in the case of Mandatory Expenditure, within each Service and CCG allotment will be subject to the approval of the Service Commander for each Service and of the Chief of Staff for CCG. Applications by CCG Units will be submitted in accordance with paragraph 5 (b) above. So far as CCG is concerned this ruling applies equally to transfers of provisions between Einzelpläne.

/The

Noted 24/5/50

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 78 (2ND REVISE)

DATED 20TH MAY, 1950

PROCEDURE FOR ARRANGING SPONSORED VISITS TO GERMANY FOR VISITORS REQUIRING FACILITIES FROM THE ALLIED ADMINISTRATION

INTRODUCTION

1. This Instruction covers all visits from the United Kingdom sponsored by the Foreign Office (German Section) and by Offices, Divisions and Branches of the CCG (BE), whether chargeable to public funds or not; but it does not apply to the following categories :-

(a) Intakes arranged by Appointments Branch.

(b) Applications forwarded by High Commission Permit Officers to Combined Travel Board at Herford.

(c) Visits of Press Correspondents sponsored by Information Services Division.

(d) Visits by the staff of the Foreign Office (German Section).

(e) Visits by Service and civilian personnel authorised by HQ RN., HQ BAOR or AHQ BAFO to visit formations and units under their command in connection with purely service matters.

2. Sponsorship is the responsibility of the appropriate functional Department of the Foreign Office (German Section) in London and of the corresponding functional Office, Division or Branch in Germany. When visitors are senior officials and persons of high standing, and Zonal facilities are required, Secretariat, Office of the Chief of Staff, Lübbecke, or the Office of the Chief of Staff, Wahn, will be the sponsor in Germany.

3. For the purpose of this Instruction the following definitions are made:

(a) The functional Department of the Foreign Office (German Section) in London is hereinafter referred to as the "Sponsor in London", and the corresponding functional Office, Division or Branch in Germany as the "Sponsor in Germany".

The word "Facility", as employed in the terms "Facility", "Part Facility", and "Non-Facility", applies only to facilities made available by Zonal Travel Directorate.

4. This Instruction does not affect any security restrictions which may at any time be imposed. It should also be noted that any visits, although sponsored, may be disapproved for security reasons.

OBJECT

5. The object of this Instruction is to set down the procedure to be followed in arranging sponsored visits to Germany, and to allocate responsibility for sponsorship, for the arrangement of facilities in Germany, and for the actual movement.

METHOD/ .....

B.T.B (2)

(122)

Exec/039/Econ

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTIONNO. 91 → LR-6989
DATED 6TH OCTOBER, 1949

AMENDMENT NO. 3 DATED 23 MAY, 1950

PAYMENT OF RENTAL IN RESPECT OF OCCUPATION
BY CONTROL COMMISSION/SERVICES OF PREMISES
SCHEDULED FOR DEMILITARISATION OR REPARATIONS

Paragraph D 9 - ADD:-

"In the event of conversion of a plant being unavoudably delayed because of Army/CCG requirements, rent will be payable as from the date when the Land Commissioner is satisfied that all possible conversion for demilitarisation purposes has been carried out on the German side."

R. L. Weeman, for

Major General,
Chief of Staff.

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Exec/039/ECON

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION NO. 95

DATED 24TH MAY, 1950

PUBLIC INFORMATION

1. It is part of the policy of His Majesty's Government to provide as much information as possible about their policies, problems and achievements. For that reason members of the Control Commission for Germany have been and are encouraged to be "Public Relations conscious" in their dealings with representatives of information media (Press, Radio, etc.)

2. It is essential, however, to ensure the accuracy and authenticity of information provided (whether for publication or for background), to maintain security and efficiency to ensure proper co-ordination and to safeguard the servants of His Majesty's Government, all of whom are subject to the provisions of the Official Secrets Act and other restrictions on the publication of official information.

3. The latter point is of special importance to the less senior members of the staff who may not appreciate the full significance of the matters they are discussing. Even the most senior officials cannot be at all times fully aware of over-all policy.

4. To ensure therefore that the maximum amount of official information is provided subject to the considerations mentioned in the two preceding paragraphs, all Government Departments have Public Relations or Information sections. In the case of the Control Commission for Germany, this is a function of Information Services Division, performed by officials at the Office of the U.K. High Commissioner, Offices of the Land Commissioners and, in Berlin, at the Office of the G.O.C. British Sector.

5. Information Services Division is the channel for the issue, in the form of Press Releases or Communiques, to the Press of the world, of information from any Office, Division or Branch of the Control Commission. Information Services Division also collaborates with the equivalent U.S. and French Offices in the preparation and issue of Allied High Commission and other Tripartite Press Releases and Communiques.

6. Information Services Division is also responsible for Press briefing and, where required, arranging in liaison with the Office, Division or Branch concerned for Press briefing by official experts. It is also responsible for arranging all Press Conferences where the official speaker is going to be quoted.

7. All members of the Control Commission should therefore be informed that:-

(i) No conference where the official concerned is going to be quoted should take place with Press or Radio representatives except at the request of or after consultation with an official of Information Services Division. This is normal procedure in Government Departments in London and elsewhere.

It/.....

File 277

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EXEC/039/ECON

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

ZONAL EXECUTIVE INSTRUCTION No. 8 DATED 6th MAY, 1949

N.T.

AMENDMENT No. 1 DATED 24TH MAY, 1950

It is requested that the following amendments may be made to the above instruction.

1. Page 9

Part I

Delete entire para 11 and substitute:-

"11. Passengers and crews on any kind of craft are permitted to use the Rhine for entering/leaving Germany, provided they are in possession of correct travel documentation (and any other documentation which may be necessary in respect of the craft) and present themselves at the Emmerich Control Point."

2. Page 15

Part II, para 4 (b)(ii) amend to read:-

"Issue of Shore Leave Passes to passengers and crews."

3. Page 22

Amend Distribution List in accordance with attached Distribution List.

4. Page 43

Appendix 'C' Part II, para 3 (b)

Delete down to (ii)(b) inclusive and substitute:-

(b) The following documents will be accepted as proof of authority to cross the International Frontier by land or sea.

(i) All "Service" Personnel

Standard Movement Orders issued by Allied Countries providing an Occupying Contingent in the British, U.S. or French Zones.

or

Special Frontier Pass (See Annexure 2 to this Appendix)

or

Ask for [illegible]

or (ii) British Empire Service Personnel

(a) Royal Navy

(i) Naval Route order, signed by Commanding Officer of Naval Party concerned

or

(ii) Allied Services Frontier Pass (See Annexure 1 to this Appendix).

(b) Army

AFW 3145 (Combined Leave Pass and Railway Warrant)

or

Allied Services Frontier Pass (See Annexure 1 to this Appendix).

5. Page 45

Appendix 'G' Part III

Delete para 1(B)(a)(i) and substitute:-

"Vehicles having a BZ registration are required to have their Registration Books stamped on a once for all basis with words "Permitted to export from Germany" by the licensing authority which is the Zonal Headquarters CCG Car Organisation or any Regional Headquarters CCG Car Organisation. Without such endorsement BZ licensed vehicles will not be permitted to leave Germany."

6. Pages 57 and 58

Appendix 'I' Part I

Replace both pages by sheets attached.

Pages 59 and 60

Annexure 1 to Appendix 'I' and Appendix I Part II

Replace both pages by sheet attached.

Note: Annexure 1 to Appendix 'I' is no longer required and is not being republished.

Economic Section

DISTRIBUTION

Attached

MY 9333

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Appendix 'I'
(to ZEI No. 8)

PART I

Authorised Frontier Crossing Points (Road)

A. "Service Personnel" Road Crossing Points

NOTE:- All "Service Personnel" and para-military personnel will use only these crossing points. They may, however, be used by all other categories of travellers and by all types of traffic.

Location	Name	Remarks
1. DANISH FRONTIER		
KRUSSA - FLENSBURG	KUPFERWÜHLE	
2. NETHERLANDS FRONTIER		
OLDENZAAL - [illegible]	FRENSDORF-RHAAR	
NIEUWESCHANS - [illegible]	BUNDERMEULAND	
NIJMEGEN - [illegible]	WYLER	ROUTE 240
VENLO - [illegible]	DAMMERBRUCH	
MAASTRICHT - [illegible]	VANESSERQUARTIER	
3. BELGIAN FRONTIER		
LIEGE - [illegible]	BILDCHEN	ROUTE 250
EUPEN - [illegible]	MÜTZENICH	
B. "Normal Civilian" Road Crossing Points		
1. DANISH FRONTIER		"Normal Civilian" Crossing Points may NOT be used by "Service Personnel" or by para-military personnel
(see [illegible] above)		
SAND - [illegible]	SUDERLUGUM	
2. NETHERLANDS FRONTIER		
TER APEL - [illegible]		
SCHOONEBEEK - [illegible]		
(see FRENSDORF-RHAAR above)		
OLDENZAAL - [illegible]	SPRINGBIEL	
OOEVORDEN - [illegible]		
ENSCHEDE - GRONA	GLANNERBRÜCKE	
[illegible] - [illegible]		
[illegible]	RUTHUM	
VENLO - [illegible]	SCHAMMENHAUS	
[illegible] - [illegible]		
[illegible] - [illegible]		
[illegible] - [illegible]		
3. BELGIAN FRONTIER		
LIEGE - [illegible]	BILDCHEN	
EUPEN - [illegible]	MÜTZENICH	
EUPEN - [illegible]		

Part I

C. "Frontalier" Crossing Points. Cont'd.		Remarks
1. DANISH FRONTIER		"Frontalier" Crossing Points may NOT be used by Service personnel or by para-military personnel.
KRUSSA - FLENSBURG	KUPPERMUHLE	
SAEN - SUDERLUGUM	SUDERLUGUM	
2. NETHERLANDS FRONTIER		
WINSCHOTEN - RHEDE		
BOURTANGE - NEU-RHEDE		
TIEN ZEEL - [illegible]		
ZWARTEMEER - SCHOENINGHSDORF		
SCHOONTEMER - [illegible]		
COEVORDEN - [illegible]		
HOOGEBERG - [illegible]		
ZUIDWENGEN - GETELO		
OOTMARSUM - LAGE		
LOSSER - [illegible]		
[illegible] - [illegible]	CLANSERBRUCKE	
[illegible] - [illegible]		
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[illegible] - [illegible]		
[illegible] - [illegible]		(Still under discussion)
[illegible] - [illegible]		
[illegible] - [illegible]		(Still under discussion)
[illegible] - [illegible]		
[illegible] - [illegible]		
[illegible] - [illegible]		
3. [illegible] FRONTIER		
[illegible] - [illegible]	[illegible]	
[illegible] - [illegible]	[illegible]	
[illegible] - [illegible]		
[illegible] - [illegible]		
[illegible] - [illegible]		
[illegible] - LOCHEIM		

APPENDIX 'I' PART II
(to ZEI No. 8)

PART II

AUTHORISED FRONTIER CROSSING POINTS (RAIL)

A. "Service Personnel" Rail Crossing Points. NOTE:- All "Service Personnel" and para-military personnel will use only these rail crossing points. They may, however, be used by all other permissible categories of travellers and goods traffic.

Location	Name	Remarks
1. DANISH FRONTIER		
PADBORG - FLENSBURG	FLENSBURG BHF	
2. NETHERLANDS FRONTIER		
OLDENZAAL - BENTHEIM	BENTHEIM BHF	
ARNHEIM - EMMERICH	EMMERICH BHF	
GROESBEEK - KRANENBURG	KRANENBURG BHF	
VENLO - KALDENKIRCHEN	KALDENKIRCHEN	
MUENCHEN-GLADBACH - DALHEIM	DALHEIM BHF	
3. BELGIAN FRONTIER		
HERBESTHAL - AACHEN	AACHEN BHF	

B. "Normal Civilian" Rail Crossing Points

"Normal Civilian" Rail Crossing Points may NOT be used by "Service Personnel" or by para-military personnel, except in international trains.

1. DANISH FRONTIER

(See FLENSBURG BHF above)

2. NETHERLANDS FRONTIER

(See BENTHEIM BHF above)
(See KRANENBURG BHF above)
(See KALDENKIRCHEN above)
ELTEN - EMMERICH (Frontier Rectification)

3. BELGIAN FRONTIER
(See AACHEN BHF above)

C. "Goods Traffic" Rail Crossing Points

"Goods Traffic" Rail Crossing Points may NOT be used by "Service Personnel" or para-military personnel.

1. DANISH FRONTIER
(See FLENSBURG BHF above)
TONDERN - SUDERBUGUM

2. NETHERLANDS FRONTIER
(See BENTHEIM BHF above)
ENSCHEDE - GRONAU
ENSCHEDE/SÜD - ALAUS (Private Railway)
WINTERSWIJK - DORREN DORREN BHF
GENNEP - GOCH
(See KALDENKIRCHEN above)
(See DALHEIM BHF above)

3. BELGIAN FRONTIER
(See AACHEN BHF above)
AACHEN - MONTZEN

APPENDIX "F" TO ZEE NO. 49
(Revised) dated 14 July, 1950

STATEMENT OF LOSS

1. Subject of Write-off

2. Type of Loss

3. Value

4. Date

5. Competent Authority to write-off

Here quote the relevant Paragraph of Routine Order No. 389/48 dated 26th June, 1948, Appendix "A" Annexure "A" in the case of losses to be written off by Foreign Office (German Section) and the appropriate paragraph of Zonal Executive Instruction No. 9 (Revised) dated ..... July, 1950, Appendix "A" in the case of losses to be written off at Regional level or by the Chief of Staff

6. Short Statement of Events

7. Summary of Proceedings and Findings of Board of Investigation

8. Police action taken and result

9. Recommendation/Decision of Administrative Authority

Date ..... Signed .....

10. Comments of:

Financial Adviser (Admin)
or
Director of Expenditure, Office of the Financial Adviser

11. Recommendation/Decision of Chief of Staff

12. Decision of Foreign Office

(These are the general headings, all of which may not be essential. The form should be adapted to the requirements of the application).

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INTCO/039/FIN

SECTION 21 THE CHIEF OF STAFF TO THE

UNITED KINGDOM HIGH COMMISSIONER

ZONAL EXECUTIVE INSTRUCTION NO. 39 (REVISED) DATED 14th July, 1950

COVERING WITH EFFECT FROM 1st JANUARY 1950 THE WRITE-OFF OF

LOSSES IN CONTROL COMMISSION CASH & STORES

PART I - GENERAL

1. Regulations covering the financial functions of the United Kingdom High Commissioner with particulars of delegation of write-off powers in connection with losses of cash and stores have been published in CCG Routine Order No. 589 of 1948. This Instruction is an amplification of that Routine Order and lays down the detailed procedure for the exercise of the delegated powers and for the investigation of losses.

2. Powers to write-off cash losses, as detailed in Appendix 'A' hereto, refer solely to governmental funds. They do NOT apply to

(a) Mess or Club funds

(b) Funds of a private or quasi-private nature

(c) Tripartite or Bipartite funds, e.g., JEIA funds.

3. Authority to write-off a loss of cash or stores cannot be given by any authority lower than that specified in this Instruction as competent to deal with the total amount of the loss in question. A loss may not be dealt with piece-meal by an authority lower than that competent to deal with the loss as a whole, neither does a refund of a portion of the loss, or the promise of such refund, bring the loss within the competence of a lower authority.

PART II - DEFINITIONS

4. For the purposes of this Instruction the following definitions shall apply and all subsequent references in the body of the Instruction, as well as in the Appendices, shall be interpreted in accordance therewith.

(a) BRITISH STORES: Stores of British origin, the property of HMG, and stores obtained from the German economy as a charge against Occupation Costs. The latter stores are deemed to be equally the property for the time being of HMG and they therefore fall to be dealt with under the procedure applicable to stores of British origin.

(b) GERMAN STORES: Stores obtained from the German economy and charged rather than as Occupation Costs, i.e., charged as Mandatory Expenditure. This covers all stores not covered by sub-para (a) above held on the charge of CCG units in Germany.

PART III - POWERS AND PROCEDURE RELATING TO LOSSES OF GOVERNMENTAL CASH AND STORES.

5. Powers which relate to losses of cash and stores are given in detail at Appendix 'A'. The sterling limits given in that appendix are applicable to all British stores as defined in Para 4 (a) above (RM values, where applicable being converted at 1 RM equals 1/0½ - see Appendix 'C'), and, in the case of cash losses, to all cases in which actual sterling (including BAFSV) and foreign currency is concerned. Foreign currency will be converted at the current rates of exchange published in Cash Accounting Instruction.

/6.

/IW

EXEC/039/SEC

277

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OFFICE OF THE CHIEF OF STAFF TO THE UNITED KINGDOM HIGH COMMISSIONER

ZONAL EXECUTIVE INSTRUCTION NO. 95

dated 9th June, 1950

MONTHLY RETURNS OF OCCUPATION COSTS AND MANDATORY EXPENDITURES

1. OBJECT

In order to facilitate compliance with the provisions of the agreement between the Allied High Commissioners, and between the Allied Commandants in Berlin, on the Deutschemark Budgets for Occupation Costs and Mandatory Expenditures, and to provide the necessary data for the review of estimates by the Inter-Services and CCG Estimates Committees, it is necessary to revise the existing procedures for the submission of monthly statistical returns. All previous instructions on this subject are, therefore, cancelled hereby, and the procedure for submission of returns commencing with those relating to the month of April of the financial year 1950/51 will be as set out below.

2. MONTHLY RETURNS

A separate return in the form at Appendix 'A' hereto will be rendered monthly in respect of each Einzelplan of the Occupation Costs/Mandatory Expenditures Budget. Returns will be forwarded not later than the last day of the month following that to which the figures refer (e.g., 30th June for the return relating to the month of May) simultaneously to Finance Branch, Office of the Chief of Staff, Lübbecke, BAOR 1, and to the Director of Expenditure, Financial Adviser's Office, Minden, BAOR 1.

Returns for April, 1950, which have already been submitted under the former procedure need only be re-submitted in accordance with this Instruction if those returns were incomplete, e.g., if they excluded April expenditure in respect of directly employed labour.

3. SUPPLEMENTARY (QUARTERLY) STATEMENTS

The returns submitted for the quarter months (June, September, December and March) will be supported by a supplementary statement in the form at Appendix 'B' showing the breakdown of the cumulative total liability to date by "Nature of Service".

4. SCOPE OF PROCEDURE

Returns in the form of Appendix 'A' and quarterly statements in the form of Appendix 'B' are applicable to the Services and to the spending Divisions/Groups/Branches of CCG. They are applicable equally to Berlin, and a copy of all returns of expenditure incurred against the Berlin Budget will be sent to Finance Branch, British Military Government, Berlin, as well as to Finance Branch, Office of the Chief of Staff, and the Director of Expenditure, as provided in paragraph 2 above. Forms relating to Berlin must be clearly so marked. CCG Elements in Berlin will render their returns through their parent Headquarters in the British Zone.

5. TRIPARTITE ORGANISATIONS

Returns in respect of Tripartite Organisations located in the British Zone (including the Allied High Commission in the Bonn Enclave) will be rendered in the form of Appendices 'A' and 'B' hereto, and in accordance with the general terms of this Instruction, except that they will be sent to the Director of Expenditure at Minden only.

/6.

one copy held on file

2531/1

C T B. Buford
(2) 142

Ext. 267

Exec/11200/1/G

Office of the Chief of Staff,
Lubbecke,
B.A.O.R. 1.

16 August, 1950

To: Standard Distribution List for Z.E.Is

SUBJECT: German Movements Branch
Zonal Executive Instruction No. 79

The sole remaining camp administered by German Movements Branch that at BECKLENBECK, MUNSTER, is to be closed down, and the premises and stores cleared and handed over on the 17th August, 1950.

Subsequent to this date the only activity which will be undertaken by the Zonal Offices of the Manpower Adviser in connection with German Movements Branch will be the clearance of outstanding bills.

Z.E.I. No. 79 is therefore hereby cancelled.

For

Major General,
Chief of Staff.

143.

[illegible]

Office of the Chief of Staff to the United Kingdom High Commissioner

Amendment No. 1 to Zonal Executive Instruction No. 94 dated 7th March, 1950

Financing of "British Centres" operated by the Office of the Educational Adviser as from 1st January, 1950

1. Delete the last sentence of paragraph 11(a) and substitute the following:-

"Hauptkassen will notify Centres Administration Branch monthly, the amounts expended on Centres Administration Sections at Land H.Qs., British Centres by Location, and the Production Unit, Bonn. Centres Administration Branch will be responsible for checking the amounts notified by Hauptkassen, and for repaying the amounts expended."

2. This amended procedure will take immediate effect, i.e. the first returns made by the Hauptkassen will cover the month of September.

[signature]

Major General,
Chief of Staff to the United Kingdom High Commissioner.

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P. A.
277.

EXEC/039/G

25th September, 1950

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

LOCAL EXECUTIVE OFFICES

LOCAL EXECUTIVE INSTRUCTION NO. 36 (REVISED)

DATED 17TH DECEMBER 1949

AMENDMENT NO. 3

APPENDIX 'G' Para 9 (d) Line 4.

DELETE: "And Brigade Inspection Teams"

INSERT: "or otherwise"

Major General
Chief of Staff

EXEC/039/FIN

OFFICE OF THE CHIEF OF STAFF TO THE UNITED KINGDOM

HIGH COMMISSIONER

AMENDMENT NO. 1 TO ZONAL EXECUTIVE INSTRUCTION NO. 39 (REVISED)

DATED 14TH JULY, 1950.

POWERS WITH REGARD TO INVESTIGATION AND WRITE-OFF OF LOSSES

OF CONTROL COMMISSION CASH AND STORES

1. Reference is made to Appendix 'A' to the above quoted Zonal Executive Instruction.

In line 2 of sub-paragraph (b) of "Notes to Section II B" between "2" and "14" insert '5'.

2. Reference is made to Appendix 'C' to the above quoted Zonal Executive Instruction.

Delete existing sub-paragraph 1(e) and insert:-

"Stores of P. & S.S. (Stationery Office Supply) will be valued under P. & S.S. instructions. The local representative of P. & S.S. will be consulted. All cases of losses of office machinery, i.e. typewriters, duplicators, adding machines, etc. will be reported to Head Office, Printing and Stationery Service, Bielefeld, BAOR 15, as soon as the loss is discovered and Army Form G. 998 (in quadruplicate), duly signed in the bottom left hand corner, will be forwarded at the same time for pricing. At the conclusion of a Board of Investigation in connection with the loss of either British or German machines, two copies of the proceedings with the Board's recommendations together with two copies of the relevant Army Forms G. 998, will be forwarded to Head Office, Printing and Stationery Service, for further action. In the case of a loss involving both British and German machines, four copies each of the proceedings and Army Forms G. 998 will be required. British office machinery is the property of H.M.S.O. and as such can be written off only by that office in conjunction with the Treasury."

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Ext. 824

Exec/07132/5/Fin

Finance Branch,
Office of the Chief of Staff,
Wahnerheide,
BAOR 19.

14 October, 1950.

To: See Distribution below.

SUBJECT: Powers of Write-off.

Enclosed herewith is/are..... copy/copies of amendment No. 1 to Zonal Executive Instruction No. 69 (revised) dated 14th July, 1950.

(A. PURVES)
Head,
Finance Branch.

DISTRIBUTION:

Executive Staff Distribution List (XXI Column) dated 24th November, 1949, but excluding:-

Editor, Monthly Report Section.
Allied Bank Commission.

147

Tel: 818

Ref: Exec/039/SecE.

Executive Staff,
Office of the Chief of Staff,
Wahnerheide,
BAOR 19.

24 October, 1950.

Distribution below.

N.T.

SUBJECT: Zonal Executive Instruction No. 65

Please note that Z.E.I. 65 dated 22nd October, 1949, is hereby cancelled.

R. O. Lumerman

For Major General,
Chief of Staff.

DISTRIBUTION:

Land Commissioner's Office, Dusseldorf, BAOR 4.
" " " Hannover, BAOR 5.
" " " Kiel, BAOR 6.
Commissioner's Office, Hamburg, BAOR 3.

ABCO

Intelligence Division, Herford, BAOR 15.
Public Safety Adviser, Bunde, BAOR 1.
Printing & Stationery Service, Bielefeld, BAOR 15.
Transport Branch Railways Representative, Bielefeld, BAOR 15.
Combined Travel Board, Herford, BAOR 15.

FRANKFURT

Office of the Economic Adviser

WAHNERHEIDE

Office of the Economic Adviser
" " " Legal "
P.S. to Chief of Staff

Military Security Board (B.E.), Koblenz.

9. Director, Labour Control Service will be responsible for issuing instructions on the procedure for ensuring that persons dismissed as undesirable do not obtain re-employment with the Occupation Authorities. Names of all new applicants for "key" posts will be referred to Intelligence Division for clearance before employment is confirmed.

10. Persons so dismissed will be entitled to their normal rights under German labour law.

11. The Armed Services have agreed to adopt similar procedures to the above in respect of their own employees and will be establishing the necessary machinery in due course.

for Major-General
Chief of Staff

CTB

163

Tel: 491

Ref: 039/1

Services Relations Branch
Office of the Chief of Staff
Wahnerheide
BAOR 19

26 April, 1951

To: Distribution below

Subject: ZEI No 42 - Fire Prevention CCG/Mil. Gov. Premises

The above quoted ZEI is hereby cancelled.

R C Silverman for
Major General
Chief of Staff

Distribution

Standard ZEI Distribution List.

C. T. Board, Bad Salzuflen (2) (185

Exec/39/g.

(R. 108

CONFIDENTIAL

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

Amendment No. 5 to Zonal Executive Instruction No. 36 (Revised) dated 17th December, 1949

Co-ordination of Competing Demands for Accommodation in the British Zone

1. Re-number existing paragraph 24 to read "25".

2. Insert new paragraph 24.

"24. PROVISION OF MAJOR ACCOMMODATION AND MILITARY INSTALLATION REQUIREMENTS

It having been agreed that all future major requirements for accommodation and military installation shall be submitted to the Federal Government for their action, either by requisitioning or new construction, it is necessary to lay down the precise channels for the submission of such demands and the various responsibilities for their implementation. Details of implementation of the new procedure are at Appendix "J". Future demands will be submitted by the Service concerned through the Chief of Staff CCG to the Federal Government. Land Standing Accommodation Committees will conduct their business in two parts, Part A in accordance with the procedure already laid down in the ZEI and Part B as an Allied/German Committee to deal with the implementation and any particular problems arising out of the demands submitted to the Federal Government. This Land Committee will also deal with any minor requirements which may be submitted to Laender Governments direct."

Major-General
Chief of Staff.

8/5/50

Combined Travel Bureau

B. Salz. (2.)

277 (157)

CONFIDENTIAL

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CONFIDENTIAL

7TH JULY, 1951

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

Amendment No. 6 to Zonal Executive Instruction No. 36 (Revised) dated 17th December, 1949

Co-ordination of Competing Demands for Accommodation in the British Zone

1. Re-number existing paragraph 25 to read "26".

2. Insert new paragraph 25.

"25. DISCUSSION ON SERVICES REQUIREMENTS BETWEEN THE SERVICES, CCG AND GERMANS BELOW LAND LEVEL

In order to obtain the co-operation of local German authorities in the provision of the Services' accommodation requirements, British Residents may arrange, and should themselves chair, meetings on an Ad Hoc basis and as required between the local military Commander and the local German authorities in whose area accommodation is being provided. The object of these meetings should be to acquaint the local German authorities with accommodation matters of local interest and to obtain their co-operation. It is of paramount importance that matters are not discussed which are clearly only within the competence of Land Allied/German Committees or which affect the overall policy of the Occupation Authorities. It is to be hoped that such meetings will create a better understanding of each other's difficulties and obtain our essential requirements with the maximum co-operation of the local German population."

Major-General,
Services Relations Adviser

TO: STANDARD ZEI DISTRIBUTION

CONFIDENTIAL

FILE CTB/277

(172)

CTB/277

2261
25

26 October, 1951

To: Brigadier Morris

From: Mr. Gilligan.

ZONAL EXECUTIVE INSTRUCTIONS

Reference your note of the 24th October.

1. I have been all through the Z.E.I.'s in our possession and checked through the numerical index dated 21st May 1949. From an External/Internal point of view Z.E.I. 63 is the only Instruction of major importance and Mr. Nethercott asked for its cancellation in letter CTB/277 dated 17th February 1950 addressed to the Office of the Chief of Staff. Z.E.I. 63 can therefore be cancelled if it has not already been done.

2. There are two Z.E.I.'s which may be of concern to us but we do not have copies of them at the CTB and I have been unable to obtain spare copies from the Registrar at the Chancery, Wahnerheide. The Z.E.I.'s are:-

(a) No. 6 which concerns travel of Germans to Berlin, and

(b) No.52 which deals with 30-day Interzonal Passes. - see file 5002/8/EE folio 89

I think therefore you should point out that we may have some comments on these two Instructions but are unable to give them until we are given copies of them.

3. There are the under-mentioned Z.E.I.'s which are not primarily the concern of the CTB but in their text various points refer to the obtaining of Entry Permits or Temporary Travel Documents from High Commission Permit Offices and Combined Travel Board. If these Instructions are to remain current, then it would be advisable for the Branches concerned to re-write the portions referring to Passports and Permits, instructing applications to be made now to German Consulates abroad or German Pass Offices at place of residence internally. The Z.E.I.'s are:-

(a) No. 9 - Employment of Displaced Persons in Great Britain, Operation "Westward Ho".
(This Z.E.I. does not appear to have been cancelled but I do know that the operation has actually ceased).

/(b)

(b) No. 81 - Independent or recommended visits for study in the British Zone.
(We are only interested in this Instruction insofar as it instructs persons to apply to the High Commission Permit Office, London, for Entry Permits. Applications should of course now be made to the German Consulate, London.)

(c) No. 70 and No. 71 - Arrest and Extradition of Persons accused of War Crimes and Instructions in regard to witnesses and persons required for interrogation abroad.
(These two Instructions require amendment to the effect that application should not now be made for CTB Temporary Travel Documents but that application should be made to local German Pass Offices for issue of Federal Passports.)

COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

(174)

British Address
Bad Salzuflen
B.A.O.R. 15

U.S. Address
Bad Salzuflen
A.P.O.757—Bonn, U.S. Army

French Address
S.P. 51084
B.P.M. 515

Please quote this number when replying
Prière de rappeler dans la réponse le numéro suivant.

Tel: Bad Salzuflen 2261, Ext. 29

CTB/ 277

October 29, 1951.

Brigadier Morris

1. Reference your HEAM/DO 55 dated October 24, 1951, I have examined Zonal Executive Instruction No. 8 (as amended).

2. The purpose of this ZEI was to set out

(a) Responsibilities of various British CCG agencies vis-a-vis frontier control and to make provision for the co-ordination of their functions.

(b) To define legal powers of enforcement of such control.

(c) To regulate control of Allied Service Personnel forming part of the Occupation.

3. So far as passport control in the British Zone is concerned the Combined Travel Board has handed responsibility over to the Federal German Service. The passport control instructions issued by the Ministry of the Interior have been studied here and agreed. The general points, then, such as method of control, travel documentation required, crossing points in use, liaison between the Federal Passport Control Service and authorities operating a delegated responsibility at minor crossings, etc., which were formerly covered by ZEI 8 are now covered by Federal Passport Control Instructions. Such parts of ZEI 8 are therefore obsolete.

4. So far as legal powers of officials are concerned, you will be aware that Ruby and I have long waged warfare in Bonn in an effort to define such powers closely and entirely in the body of the Federal Passport Law which is still being considered in draft. However, I think we can accept von Wolff's repeated assertions that passport control officials are, in fact, covered in this respect, as they draw their powers automatically from the exercise of their office.

As regards

As regards the legal powers of German officials, in this field, vis-a-vis "Allied Forces", the position is determined in Allied High Commission Law No. .

5. There remains the question of passport control of certain members of the Services. ZEI 8 specifically authorises exceptions in respect of RN personnel arriving on RN ships, and RAF travellers arriving/departing at RAF controlled airfields. It would appear, therefore, that the total abrogation of ZEI 8 would necessitate the introduction of some other legal instrument to define these exceptions and I would strongly recommend, in this connection, that ZEI 8 be totally abrogated and replaced with an instrument which not only regulates the exceptions referred to in ZEI 8 but which would also include any other approved exceptions such as the Danish Military Control at Flensburg, the Belgian Military Control at Aachen and Wahn Airport, the French Gendarmerie controls in the French Zone, the organized moves of bodies of troops in 'exercises' and any other exceptions which the various Commanders may wish to institute. I think it would be in the general interest if these procedures were formally regulated.

6. As regards responsibilities of British Immigration Inspectors (now of course, Allied Immigration Inspectors) as are referred to in ZEI 8, these have already been superseded by CTB Instructions on their responsibilities which have been sent to the S/AII's.

7. At my request, Mr. West has examined, in conjunction with Mr. Gilligan, any other ZEI's which might affect the CTB functions. He has reported that, subject to any matters which Mr. Gilligan might raise, there are no current ZEI's on which we need comment.

SUMMARY

(1) ZEI 8 can be cancelled in its entirety, but passport control of Allied Service Personnel should be the subject of an alternative promulgation, the form of which should be the object of discussion.

(2) No other current ZEI's affect the passport control activities of the Board.

WHO 29/10.

COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

176

British Address
Bad Salzuflen
B.A.O.R. 15

U.S. Address
Bad Salzuflen
A.P.O.757—Bonn, U.S. Army

French Address
S.P. 51084
B.P.M. 515

Please quote this number when replying.
Prière de rappeler dans la réponse le numéro suivant.
CTB/277

Tel: Bad Salzuflen 2261, Ext. 30

13th November, 1951

From: F. Sedgley

To: Brig. H.E.A. Morris

I have considered the question of revising Z.E.I. No.8 but for the following reasons consider it desirable that the Z.E.I. should be cancelled and that it should not be replaced in a revised form.

As you will see from para. 2 of page 1 of the Z.E.I., the intention of the Z.E.I. was to inform all authorities concerned of the exact function of each British Zonal authority having any part in the movement of goods and persons into and out of the British Zone.

So far as I know the instruction itself did not in itself empower the taking of action - such action was taken either under the provisions of a law (e.g. Mil. Gov. Law 161) or had been accepted by all concerned as common usage consequent upon the fall of Germany (e.g. the Royal Navy regards itself as responsible for controlling the movement of foreign naval vessels).

I consider that the whole Z.E.I. is outdated and, as suggested in a recent Board paper, and reiterated in one that will come up at the next meeting, the whole subject of control of service personnel must be reviewed and tied up with contractual agreements before we can usefully clarify the inter-relationship of the authorities concerned. When that is done it will have to be on a Federal basis and should not take the form of a Zonal document.

Incidentally I suggested the preparation of such a document in the course of my report on the inspection of the U.S. Zone in September 1950 (see para. 2 of page 5 of that report) but apparently Secretariat did not take the desired action and it appears to have been overlooked in the Directorate that the point was not cleared.

In the circumstances I suggest that Chancery be advised as follows:-

(i) That Z.E.I. can be cancelled, subject to agreement by all other interested authorities (i.e. F.I.S., Int. Div., the Services and Public Safety).

(ii) That as it was intended as a guide to the functions of the various authorities concerned with movement of persons and goods across the frontier and did not apparently in itself give legal force to actions taken by such authorities, it is not essential that it should be replaced immediately.

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(iii) That when the position of such authorities has been clarified as a result of contractual agreement, a document should be co-ordinated (probably through the Allied General Secretariat) setting out any remaining functions of the several organisations - including that relating to Service personnel. The modus operandi of such co-ordination might be that followed originally in the preparation of Z.E.I. No. 8, i.e. each authority would prepare a paper setting out its interpretation of its new position, and where there was any doubt or overlapping this could be ironed out at a meeting of all authorities concerned, which could be convened by the Allied General Secretariat.

F. SEDGLEY.

Director
Passport Control Directorate

Form MIC06 - 299
(19 Sept 50)

278 VOL.I.

TRANSFER TO THE GERMAN AUTHORITIES OF OPERATIONAL RESPONSIBILITIES FOR TRAVEL CONTROL _ GENERAL _

FILE SEPARATOR

(Traduction)

L O I

relative à l'organisation des Consulats Fédéraux, ainsi qu'aux attributions et obligations des Consuls fédéraux, du 8 novembre 1867.

(B.-G.-Bl., page 137)

Nous, Wilhelm xx , ordonnons au nom de la Confédération de l'Allemagne du Nord, avec l'agrément du Conseil Fédéral et de la Diète Fédérale, ce qui suit :

I - ORGANISATION DES CONSULATS FEDERAUX.

Art. 1 - Les Consuls Fédéraux sont appelés à protéger et à favoriser , dans la mesure du possible, les intérêts de la Confédération, surtout en ce qui concerne le commerce, la circulation et la navigation; à veiller à l'observation des traités internationaux et à accorder conseil et aide dans leurs affaires aux ressortissants des Etats confédérés, ainsi qu'aux ressortissants d'autres Etats amis. Ils doivent, ce faisant, se conformer aux lois fédérales et aux instructions qui leur ont été données et rester dans le cadre des lois et des coutumes de la circonscription pour laquelle ils sont compétents.

Art. 2 - Par Consuls, dans le sens de cette loi, il faut entendre le chef d'un Consulat Général, d'un Consulat ou d'un Vice-Consulat.

Art. 3 - Les Consuls fédéraux sont placés sous le contrôle du Chancelier Fédéral. Ils réfèrent au Chancelier Fédéral pour les questions d'intérêt général et en reçoivent leurs instructions. En cas d'urgence, ils doivent faire parvenir directement aux Gouvernements immédiatement intéressés des avertissements concernant des faits importants.

Pour des questions d'affaires spéciales touchant les intérêts d'un Etat confédéré ou ceux d'un ressortissant de l

Confédération, ils en référent au gouvernement de l'Etat intéressé ou à celui auquel appartient ce ressortissant ; le gouvernement d'un Etat confédéré peut également les charger d'une mission dans ces sortes d'affaires et demander un rapport direct.

Art. 4 - Avant leur entrée en fonction, le Consuls fédéraux doivent prêter serment de remplir loyalement et consciencieusement les obligations de service assumées envers la Confédération de l'Allemagne du Nord en conformité avec les loi et les instructions reçues et de faire de leur mieux pour le bien de la Confédération.

Art. 5 - Les Consuls fédéraux ne peuvent sans l'autorisation du Président de la Confédération, ni revêtir la charge de Consul d'une puissance étrangère, ni accepter des présents ou des décorations d'un gouvernement étranger.

Art. 6 - Les Consuls fédéraux qui quittent leur charge sans avoir demandé un congé, sont considérés comme ayant demandé à être relevés de leurs fonctions.

Art. 7 - Ne peut être nommé Consul de carriere (consul missus) qu'un ressortissant de la Confédération qui a, en même
/ 1 - temps,/passé avec succès ou bien le premier examen nécessaire pour l'entrée dans une carrière juridique dans l'un des Etats confédérés et, en outre, a été employé, au moins 3 ans au service interne ou au barreau et au moins 2 ans au service consulaire de la Confédération ou d'un Etat fédéral, ou bien
2 - a passé l'examen spécial qui sera institué pour les Consuls de carrière. Des précisions concernant cet examens seront promulgées par le Chancelier fédéral.

Les dispositions précitées ne seront cependant appliquées qu'à partir du 1 janvier 1873.

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Art. 8 - Le traitement des Consuls de carrière est imputé sur le budget fédéral.

Les frais de déplacement et d'installation, ainsi que les autres frais de service leur sont remboursés à part sur les fonds fédéraux[1].

Le voyage de retour dans leur pays d'origine des familles des Consuls de carrière sera supporté par les finances fédérales, au cas où ces derniers viendraient à mourir dans l'exercice de leur charge.

Les Consuls de carrière perçoivent les taxes prévues par les tarifs consulaires pour le compte de la Trésorerie Fédérale[2].

Les Consuls de carrière ne doivent exercer aucune activité commerciale.

En ce qui concerne la déchéance, le licenciement, la mise à la retraite et la suspension, les Consuls de carrière sont soumis, jusqu'à la promulgation d'une loi fédérale, aux dispositions en vigueur dans ce domaine pour les agents diplomatiques prussiens, étant entendu que la compétence qui est, selon ces dispositions du ressort du Ministère des Affaires Etrangères, appartient au Chancelier Fédéral et la compétence appartenant d'après ces mêmes dispositions à la Cour disciplinaire, passe au Conseil Fédéral[3].

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1) Ordonnance relative aux indemnités journalières, aux frais de déplacement et de déménagement des fonctionnaires d'Ambassades et de Consulats, du 23 avril 1879.(RGBl.,p.127).

2) V. la loi relative aux taxes et frais des deux Consulats du Reich Allemand, du 1 juillet 1872 (RGBl., p.245).

3) V. la loi relative au statut légal des fonctionnaires du Reich du 31 mars 1873 (RGBl.,p.61).

Art. 9 - Les Consuls honoraires seront choisis de préférence parmi les hommes d'affaires, ressortissants de la Confédération.

Art. 10 - Les Consuls honoraires perçoivent pour leur propre compte les taxes prévues par les tarifs consulaires.

Les frais de service peuvent leur être remboursés sur les fonds fédéraux.

Leur nomination est en tout temps révocable sans indemnité.

Art. 11 - Les Consuls peuvent nommer dans leur circonscription, avec l'accord du Chancelier fédéral, des mandataires privés (agents consulaires).

Les agents consulaires ne peuvent pas exercer en toute indépendance les droits conférés aux Consuls par la présente loi.

Les taxes perçues par les agents consulaires, conformément au tarif consulaire, peuvent être laissées entièrement ou en partie, à la disposition de ces derniers.

II - DROITS ET DEVOIRS DES CONSULS.

Art. 12 - Chaque Consul fédéral doit tenir une fiche matricule sur tout ressortissant de la Confédération domicilié dans la circonscription de sa compétence et qui fait une déclaration à cet effet.

Aussi longtemps qu'un ressortissant de la Confédération est porté sur une fiche matricule, il conserve son droit de citoyenneté, même lorsque la perte de ce droit devait être la suite naturelle du séjour à l'étranger.

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Art. 13 - La compétence des Consuls en matière de mariages et d'homologation d'actes de mariage, de naissance et de décès des ressortissants de la Confédération est réglée par les lois régionales de chaque Etat fédéral[1] en attendant la promulgation de la loi fédérale réglant ces attributions.

Si, selon les lois régionales, cette compétence dépend d'une habilitation spéciale, cette dernière est conférée par le Chancelier fédéral sur la demande du gouvernement régional.

Art. 14 - Les Consuls fédéraux ont le pouvoir d'homologuer les documents qui ont été délivrés ou légalisés dans la circonscription de leur compétence.

Art. 15 - Les attestations écrites, délivrées par les Consuls Fédéraux relatives aux actes officiels accomplis par eux et aux faits constatés par eux dans l'exercice de leurs fonctions, portant leur sceau et leur signature, ont force de documents authentiques.

Art. 16 - Les Consuls fédéraux possèdent les pouvoirs notariaux en ce qui concerne les actes juridiques conclus par les ressortissants de la Confédération, en particulier ceux conclus avec des étrangers, de telle sorte que les actes dressés par eux et portant leur signature et le sceau ont la valeur de documents notariés sur tout le territoire de la Confédération.

Art. 17 - Pour dresser ces actes (Art.16), les Consuls fédéraux doivent convoquer deux témoins en présence desquels

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1) V. actuellement la loi fédérale du 4 mai 1870 (BGBl.,p.599).

le contrat sera lu et la signature apposée par les intéressés, en cas de personnes illettrées, sous forme de croix[1].

Le document doit faire ressortir l'observation de ces dispositions, sinon le document en question n'a pas la valeur d'un document notarié. La valeur légale est également nulle dans le cas où le Consul ou sa femme, ou un des parents par le sang ou par alliance de ceux-ci en ligne directe (ascendants, descendants ou collatéraux) jusqu'au degré de parenté d'un oncle ou d'un neveu inclusivement était intéressé aux négociations ou qu'une disposition a été prise en faveur de l'une des personnes précitées ou des témoins.

Art. 18 - Les Consuls fédéraux sont chargés de s'occuper des successsions laissées par des ressortissants de la Confédération décédés, se trouvant sur le territoire de leur ressort, lorsqu'une intervention officielle paraît nécessaire pour cause d'absence d'héritiers proches ou pour des raisons analogues ; ils sont en particulier autorisés à apposer les scellés et à faire l'inventaire ; de prendre en dépôt, si les circonstances l'exigent, les valeurs mobilières de la succession et de les vendre publiquement ; ainsi que d'employer l'argent liquide à l'acquittement des dettes établies[x].

Art. 19 - Les Consuls fédéraux peuvent faire parvenir aux personnes se trouvant sur le territoire de leur ressort des communications de toutes sortes sur la demande des autorités d'un Etat fédéral[2]. Une attestation écrite du Consul prouve que la communication a été effectuée[xx].

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1) Pour l'homologation des documents, v. Art.403 du code de procédure civil du 30 janvier 1877.

x) Commentaire I,1072 a.

2) V. Art. 182 du Code de procédure civile du 30 janvier 1877.

xx) Commentaire I, 1072 a.

Art.- 20 - Seuls les Consuls fédéraux habilités expressément par le Chancelier fédéral peuvent procéder à l'audition des témoins ou faire prêter serment. Les actes dressés par les Consuls sont équivalents à ceux des autorités intérieures compétentes[1) x)].

Art. 21 - En cas de litige entre les ressortissants de la Confédération entre eux et avec l'étranger, les Consuls fédéraux sont appelés non seulement à négocier la conclusion d'un compromis sur la demande des parties, mais aussi à assumer la charge d'arbitres s'ils sont désignés comme tels par les parties dans la forme prévue par les lois locales.

Art. 22 - Les Conculs fédéraux possèdent le plein pouvoir juridictionnel, lorsqu'ils résident dans des pays, dans lesquels l'exercice de la justice leur est conférée par tradition ou par traités entre Etats[2)].

Sont soumis à la juridiction consulaire tous les ressortissants de la Confédération et assimilés domiciliés ou séjournant dans la circonscription de la juridiction conculaire.

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1) Administration des preuves (Beweisaufnahme) par les consuls du Reich, v. Art. 328 du code de procédure civile du 30 janvier 1877.

x) Commentaire I, 1073 a.

2) V. la loi relative à la juridiction consulaire (Konsulargerichtsbarkeit) du 10 juillet 1879 (RGBl., p. 197) et, en ce qui concerne la juridiction des Consuls en Egypte, la loi du 30 mars 1874 (RGBl., p. 23) avec annexes.

V. en outre la loi relative à la juridiction consulaire en Bosnie et en Herzegovine du 7 janvier 1880 (RGBl., p. 146) et la loi relative à la juridiction consulaire en Tunisie du 27 juillet 1883 (RGBl.,p.263).

V. aussi l'Instruction d'application de la loi (Instruction zur Ausführung des Gesetzes) du 10 juillet 1879, du 10 septembre 1879, (commentaire II, 946).

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Cependant en ce qui concerne les crimes et les délits politiques, cette compétence existe seulement dans le cas, où ceux-ci n'ont pas été commis sur le territoire de la Confédération de l'Allemagne du Nord ou en corrélation avec elle.

Art. 23 - Les circonscriptions judiciaires de chaque Consul sont délimitées par le Chancelier Fédéral après l'audition de la commission du Conseil Fédéral pour le Commerce et la Circulation.

Art. 24 - Jusqu'à la promulgation d'une loi fédérale relative à la juridiction consulaire, cette dernière sera exercée par les Consuls fédéraux, conformément à la loi promulguée en Prusse le 29 juin 1865 (GS.,p.681) relative à la juridiction consulaire. Les pouvoirs conférés par cette loi aux ministres et aux Ambassadeurs prussiens appartiennent cependant au Chancelier Fédéral.

Les nouvelles lois fédérales auront force de loi obligatoire dans les circonscriptions de juridictions consulaire 6 mois après le jour de leur publication au Bulletin juridique Fédéral (Bundesgesetzblatt)[1].

Art. 25 - Les Consuls fédéraux sont autorisés à délivrer des passeports aux ressortissants de la Confédération séjournant dans la circonscription de leur ressort, ainsi que de viser les passeports ; mais en ce qui concerne les passeports

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1) L'Art. 3 de la loi du Reich (Reichsgesetz) du 22 avril 1871 (RGBl., p.87) prévoit l'additif suivant à l'Art. 24 :

La compétence du Tribunal suprême prussien, fondée sur l'alinéa 1, passe, à partir du 1 juillet 1871, au tribunal supérieur fédéral du Commerce. Lorsque pour les causes arrivant à ce même tribunal, le concours du parquet est nécessaire, le Président du Tribunal Supérieur Fédéral du Commerce nommera pour le représenter un membre de ce dernier, un procureur en fonction à Leipzig ou un avocat domicilié dans cette ville.

V. actuellement la loi du 10 juillet 1879.

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des autorités étrangères, seulement pour entrer sur le territoire de la Confédération.

Art. 26 - Les Consuls fédéraux sont tenus, conformément aux instructions qui leur ont été données, de procurer aux ressortissants de la Confédération nécessiteux les fonds nécessaires pour atténuer leur détresse présente ou pour le retour dans leur patrie.

Art. 27 - Les Consuls fédéraux doivent accorder aide et assistance aux navires de guerre fédéraux et à leurs équipages. Ils doivent en particulier informer les commandants de ces mêmes navires des règlements et des coutumes locales en vigueur dans la circonscription de leur ressort en ce qui concerne les navires de guerre étrangers, ainsi que des épidémies et des maladies contagieuses éventuelles.

Art. 28 - En cas de désertion des membres d'équipages des navires de guerre, les Consuls fédéraux sont tenus d'entreprendre les démarches nécessaires auprès des autorités locales et régionales en vue de les retrouver.

Art. 29 - Les Consuls fédéraux peuvent réclamer le concours des commandants des navires de guerre pour la protection des intérêts officiels qu'ils représentent, en particulier en ce qui concerne le transport des criminels et des personnes indigentes.

Art. 30 - Les Consuls fédéraux doivent veiller à l'observation des instructions en vigueur concernant le port du drapeau fédéral.

Art. 31 - Ils recevront le rapport des commandants des).

navires et avertiront le Chancelier fédéral lorsque la présentation de ce rapport a été omise [1].

Art. 32 - Ils constituent la commission d'inspection pour les navires de la marine marchande fédérale, dans le port de leur résidence.

Art. 33 - Ils sont habilités à exercer le pouvoir de police sur ces navires.

Art. 34 - En cas de désertion des membres d'équipages de ces navires, les Consuls fédéraux doivent, sur la demande du commandant, entreprendre les démarches nécessaires auprès des autorités locales ou régionales en vue de les retrouver.

Art. 35 - Les Consuls fédéraux sont habilités à remplacer, sur la demande des intéressés, le commandant du navire en cas de décès, de maladie ou toute autre incapacité à conduire le navire.

Art. 36 - Ils sont autorisés à recevoir les procès-verbaux d'avarie et, en cas d'accidents touchant les navires, à prendre les mesures nécessaires en vue du renflouement et du sauvetage et à surveiller leur exécussion, ainsi qu'à établir, ~~xxxxxxxxxxxx~~ [+] sur la demande du commandant du navire, une dispache [+] en cas de grande avarie.

Art. 37 - En ce qui concerne le droit des Consuls de coopérer à la vente d'un navire par un armateur et à la conclusion de prêts sur navires, ainsi qu'en ce qui concerne

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1) V. la loi relative à la déclaration des navires auprès des Consulats du Reich Allemand, du 25 mars 1880 (RGBl., p.181).

+) Règlement des pertes et avaries entre une compagnie d'assurance maritime et l'assuré.

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la solution provisionnelle des différends entre armateurs et équipages, il y a lieu d'appliquer les dispositions des Art. 499, 537, 547 et 686 du code général de Commerce allemand (Allgemeines Deutsches Handelsgesetzbuch); en ce qui concerne leur pouvoir de délivrer des certificats de nationalité provisoires aux navires, c'est les dispositions de la loi fédérale relative à la nationalité des navires marchands et à leur droit d'arborer le pavillon fédéral du 25 octobre 1867 qui reste en vigueur.

Art. 38 - Les taxes à percevoir par les Consuls fédéraux seront fixées par une loi fédérale. Jusqu'à l'entrée en vigueur d'une telle loi, la perception des taxes se fera d'après les tarifs provisoires fixés par le Chancelier Fédéral en accord avec la commission du Conseil Fédéral pour le Commerce la Circulation[1].

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[1] V. la loi du 1 juillet 1872 mentionnée à l'Art. 8, alinéa 4.

(136) 189

P.A

27th September, 1950 OTC/CTB/CAB(50) 39

COMBINED TRAVEL BOARD

To : All Allied High Commission Permit Offices and Sub-Offices
All Internal Permit Offices and Allied Immigration Inspectors

Issue of German Passports by German Consuls

The enclosed specimen German Passport(s) are distributed for your information in accordance with paragraph 5 of OTC/CTB/CAB(50)37 dated 18th September, 1950, ref. CTB.202/1 subject same as above.

Additional copies will be available upon request to the Secretariat, Combined Travel Board.

FOR THE COMBINED TRAVEL BOARD:

Secretary to the Board.

CTB/202/1

CTB/509

CTB/278

BUNDESREPUBLIK
DEUTSCHLAND

Ungültig

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Policy

SECRET

OFFICE OF THE U. S. HIGH COMMISSIONER FOR GERMANY

OUTGOING MESSAGE

CONTROL NUMBER #14

DISTRIBUTION

CHANNEL HICOG

SECRET
CLASSIFICATION

4952
CONTROL NUMBER

ROUTINE
PRECEDENCE

19 SEPT 50/ 6PM
DATE

SENT THE HAGUE 41 REPEATED INFO SECSTATE 2411

NATO L 23 September 7, 1950 repeated info Secstate 383. Ultimate disposition of multipartite files still under study by HICOG but presumably confidential files each CTB branch office will be returned tripartite headquarters when German consuls take over operations. Germans will receive only travel blacklist certain names which must be referred central CTB for clearance.

Any Allied agency at Hague may of course withdraw any data given CTB office in confidence and agencies may make any mutually agreed arrangement for pooling such data for their own purposes. While future sharing of such data with German consulates is at discretion agency concerned it is hoped that Allied Missions and Netherlands agencies will on request extend whatever cooperation and advice may be possible in maintaining travel security between Netherlands and Germany, particularly during initial period of adjustment.

HAYS

23 September 7, 1950 CN-35281 PA

AUTH: PA:TC:R.Benton

COORD: PA:FR - Lisle
A:CO - Sheppard

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SECRET
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September 19, 1950

34

Form HICOG—94

OUTGOING SECRET MESSAGE

133 294

RESTRICTED

CONFIDENTIAL

26 September 1950 OTC/CTB/P(50)230

Texte francais joint

COMBINED TRAVEL BOARD

TRAVEL SECURITY PROCEDURE. 278

(Note by Secretariat)

1. At its Forty-first Meeting held on 15th September, 1950, the Political Affairs Committee took the following decision : (POL/M(50)31)

" 770. - POINTS ARISING FROM PREVIOUS MINUTES

.....

(v) Travel Security Procedure (POL/M(50)30, Conclusion 757 (f))

THE MEETING

(770) (h) approved, with certain amendments, two draft letters, prepared by the Chairman, one on the powers of German Consuls to issue passports and visas, the other on the Strasbourg Allied Permit Office.

(j) instructed the Secretariat to forward these letters through the Allied General Secretariat to the Federal Chancellery (See AGSEC(50)2041 and 2042);

(k) agreed that the Chairman would prepare, for interim approval by his colleagues, a draft press communique which would be released 48 hours after the despatch of the letters at (j) above.

2. The papers AGSEC(50)2041 and AGSEC(50)2042 are attached as annexures.

3. This paper will be submitted to the Board for information at its next Meeting.

Secretary to the Board

CTB/202/1

Copy to : CTB/260
CTB/278
CTB/509

RESTRICTED

(132) (293)

RESTRICTED

Annex to:
OTC/CTB/P(50)230

19 September 1950

AGSEC(50)2041

ALLIED HIGH COMMISSION FOR GERMANY

Allied General Secretariat

To : Ministerial Director Blankenhorn
Chancellery of the Federal Republic of Germany

Subject : Powers of German Consuls in respect of the Issue of Passports and Visas

Sir,

With reference to the Memorandum submitted to representatives of the Federal Government on 14th April and to my letters AGSEC(50)1289 and AGSEC(50)1685 of 23rd June and 9th August, 1950 respectively, and with reference also to the communications of the Federal Chancellery concerning the transfer of executive powers in connection with travel control to the Federal authorities, I have the honour to inform you that the Allied High Commission has drawn up the following provisions regarding the issue of passports and visas by Consuls of the Federal Republic abroad.

1. As soon as Consuls of the Federal Republic are established abroad and the Federal Chancellery has advised the Allied High Commission that they are in a position to carry out the function, such Consuls will be authorised to issue Federal passports to German nationals domiciled within their Consulate jurisdiction.

Furthermore, if a Consul receives an application for a passport from a German national normally domiciled in a country where there is no Consulate of the Federal Republic, the Consul is authorised to accept this application if the applicant is the holder of a valid Combined Travel Board Temporary Travel Document or of a travel document issued by a foreign authority and endorsed by the Board. On the other hand, the Consul will have to submit to the Board requests for passports which result from the intervention of the Foreign Affairs Service of the Federal Chancellery.

2. The Combined Travel Board will continue, through its Offices where maintained, to issue provisional travel documents to German nationals requiring to travel to countries whose Governments do not recognise the validity of Federal passports. No one will, in principle, be able to hold at the same time a Federal passport and a travel document of the Combined Travel Board. If a German national holding a Combined Travel Board provisional travel document applies for a Federal passport, or vice versa, he will normally hand over the first document to the authority which issues him with the second.

3. The issue of passports by Consuls of the Federal Republic abroad will be carried out in accordance with the procedure in the instruction submitted to the Allied High Commission as soon as these have been approved, and bearing in mind the powers reserved to the Allied High Commission.

The Allied High Commission has no objection to Federal passports

/issued

/issued by Consuls of the Federal Republic abroad having a validity of two years, which is also the validity of provisional travel documents issued by the Combined Travel Board.

4. The Allied High Commission does not consider it necessary to require German nationals living abroad and in possession of Federal passports to have an entry permit if they wish to enter Federal territory. You will not forget that since 1st July this permit has no longer been required by German nationals living abroad and holding provisional travel documents of the Combined Travel Board.

5. As soon as the Federal Chancellery has notified the Allied High Commission that they are in a position to do it, Consuls of the Federal Republic abroad will be competent to issue entry permits for the territory of the Federal Republic, under the conditions defined in paragraph 1 above, to all non-Germans requiring visas with the exception of officials and members of the Armed Forces of the United States of America, France and the United Kingdom and members of Allied military contingents taking part in the occupation of Western Germany and the Western Sectors of Berlin, together with their families.

6. Consuls of the Federal Republic will not be authorised to refuse a visa to nationals of the three Occupying Powers without the agreement of the Allied High Commission. In such cases the Consul should approach the Combined Travel Board through the Foreign Affairs Service of the Federal Chancellery; and the Board's decision will be notified to the Consul through the same channel. If, however, after having thoroughly consulted the local authorities of the interested nation, the Consul is assured that they have no objection to the visa being refused, he will not be bound to consult the Combined Travel Board, but will merely have to notify them of its refusal.

7. The exercise of the competence accorded in paragraph 5 of this letter by Consuls of the Federal Republic abroad is subject to the submission to the Allied High Commission of instructions defining the procedure to be followed and to the High Commission's approval of the same.

8. The Allied High Commission wishes to reduce to the minimum compatible with its security policy the regulations which German Consuls abroad will have to observe in connection with the issue of passports and visas. The experts of the Allied High Commission intend to arrange meetings shortly with representatives of the Federal Government with a view to explaining to them the tasks which will fall upon Consuls of the Federal Republic abroad and the Foreign Affairs Service of the Federal Chancellery in this connection and to determining with them the necessary arrangements. I am merely instructed to point out here the general provisions of the procedure envisaged by the Allied High Commission.

(a) The lists mentioned in paragraph 7 of the Allied Memorandum of 14th April will be sent to the Consuls-General of the Federal Republic in London, New York and Paris. These lists will be liable to revision later by the Allied High Commission.

(b) Consuls of the Federal Republic should immediately communicate to the Combined Travel Board through the Foreign Affairs Service of the Federal Chancellery :

(i) copies of applications for passports which they have received and, later, the names of persons to whom passports have been delivered;

(ii) the names of persons to whom visas have been granted and those of persons to whom they have been refused.

/ (c)

RESTRICTED

/(c) Whenever it appears from an application for a passport submitted by a German national that he wishes to travel to certain countries, a list of which will be communicated to the German experts, the application will have to be submitted to the Combined Travel Board for approval.

(d) If, for reasons of security, it is necessary to withdraw a Federal passport subsequently from a German national to whom it was issued, Consuls of the Federal Republic must give all possible assistance to this end.

(e) The Combined Travel Board will exercise through its Inspectors the powers which will be within its competence after the transfer of executive responsibilities in connection with travel control to the German authorities.

These Inspectors will notify higher authority of any irregularities which come to their notice; and any action considered necessary will be taken at that level.

The Allied High Commission has noted from the letter No. 8600/5902/50 of 4th July from Dr. Dittmann that, in connection with the issue of visas by Consuls of the Federal Republic abroad, the senior authority is the Foreign Affairs Service of the Federal Chancellery.

It understands that this Service will assume the same responsibilities in respect of direction and control of the issue of passports by Consuls of the Federal Republic.

Please accept, sir, the assurance of my highest esteem.

G. P. GLAIN
Secretary-General

(129) (290)

RESTRICTED

Annexe to:
OTC/CTB/P(50)230

19 September 1950

AGSEC(50)2042

ALLIED HIGH COMMISSION FOR GERMANY

Allied General Secretariat

To : Ministerial Director Blankenhorn
Chancellery of the Federal Republic of Germany

Subject : Maintenance of the Allied Permit Office in Strasbourg

Sir,

With reference to my letter AGSEC(50)1685 dated 9th August 1950 regarding the competence of Consuls of the Federal Republic abroad in respect of the issue of passports and visas, I have the honour to inform you that the Allied High Commission has agreed that after the transfer to the Consulate of the Federal Republic in Paris of the functions which were the subject of my above quoted letter, the Allied Permit Office in Strasbourg will have to be maintained as at present owing to requirements geographically necessitated and local convenience.

This Office will be authorised to issue entry permits for the territory of the Federal Republic to local residents and also, in exceptional cases, to nationals of the Occupying Powers who are not residents.

The Office will function in liaison with the Federal authorities and will be able to employ German personnel.

Please accept, sir, the assurance of my highest esteem.

G. P. GLAIN
Secretary General

Copy to : Political Affairs Committee

Note : Translated at CTB

123 145

18th September 1950 OTC/CTB/CAB(50)37

COMBINED TRAVEL BOARD

CTB/202/1

To: All External Offices,
Internal Offices, and Allied Immigration Inspectors.

Issue of German Passports by German Consuls.

1. In the near future, probably from 15th October 1950, German Consuls appointed to London, New York and Paris will assume responsibility for the issue of passports to German nationals resident within the territorial limits of the United Kingdom, U.S.A., and France. As and when further German Consuls are appointed to other countries they will undertake similar functions, and notification will be made as to the dates when additional Consuls assume their duties.

2. As soon as German Consuls issue passports, Permit Officers in the Capitals named will cease to accept applications for Temporary Travel Documents from German nationals. Applicants will be directed to the appropriate German Consul. Furthermore, the Permit Officers will not deal with requests for :-

(a) Amendments or extensions of Temporary Travel Documents,
(b) Repatriation of German Nationals,
(c) Deportation of German Nationals,
All requests of this nature will be directed to the German Consul.

3. Permit Issuing Agencies in countries in which no German Consular Officials are appointed will continue to issue Temporary Travel Documents to German Nationals, and deal with the other matters referred to in paragraph 2 above.

4. Any Temporary Travel Documents issued before the 1st October will be withdrawn by the German Consuls as and when possible, but any German national holding this document who presents himself at the frontier of the German Federal Republic will be allowed to enter. If he happens to be also in possession of a German passport, the Temporary Travel Document will be withdrawn unless it contains valid visas permitting him to enter or transit another country. In this event, all pages of the Temporary Travel Document not containing valid foreign visas will be cancelled.

5. The above is for your advance information. Instructions to the German Consuls are in the course of preparation, and copies will be distributed to those concerned as soon as they are finalised. Specimens of the new German Passport will also be distributed as soon as possible.

FOR THE COMBINED TRAVEL BOARD:

copy to: CTB/278

[signature]
Secretary to the Board.

Copy to: CTB/509

~~272~~ (114)

13 September 1950. 101/CTC/CTB/[illegible](50)9.

COMBINED TRAVEL BOARD

To: Chief, Liaison and Protocol,
Allied High Commission for Germany,
Bonn - Petersberg.

Subject: Issue of Federal German Government Passports.

1. It is anticipated that German Consuls in New York, London and Paris will be issuing passports on behalf of the Federal German Government with effect from about 15th October 1950.

2. It would be appreciated if this information could be passed to all Missions accredited to the Allied High Commission.

Secretary to the Board.

CTB/202/1.

Copy to: Duty Secretary, Political Affairs Committee.

CONFIDENTIAL

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CONFIDENTIAL

11 September 1950. OTC/CTB/P(50)217.

Texte francais joint.

COMBINED TRAVEL BOARD

TRANSFER TO THE FEDERAL GOVERNMENT OF OPERATIONAL RESPONSIBILITY FOR TRAVEL CONTROL - VISA ISSUING POWERS.

(Note by Secretariat)

1. At its thirty-ninth meeting held on 1st September 1950 the Political Affairs Committee took the following decision :-

"740 - POINTS ARISING FROM PREVIOUS MINUTES -

(iii) Transfer to the Federal Government of Operational Responsibility for Travel Control - Visa Issuing Powers (POL/P(50)28, Conclusion 720(1).

The meeting considered POL/P(50)49.

THE MEETING:

(740) (f) approved the paper with the amendment, which is subject to confirmation by the French Member by interim action, of the third sentence of paragraph 1(c) to read,

"This office, which shall operate in liaison with the Federal Authorities and may employ German personnel, shall be empowered to issue visas to local residents and, in exceptional cases, to other nationals of the Occupying Powers".

(g) instructed the Secretariat on confirmation by the French Member to despatch this paper to the Combined Travel Board

(1) for implementation and

(2) for consideration [illegible] incidence of the costs of the Strasbourg office and on the disposition of fees taken by it."

2. The paper POL/P(50) is attached to this paper.

3. This paper will be considered by the Board at its next meeting.

Secretary to the Board.

CTB/20/1.

CONFIDENTIAL

CONFIDENTIAL

C O N F I D E N T I A L

31 August 1950. POL/P(50)49.

ALLIED HIGH COMMISSION FOR GERMANY

POLITICAL AFFAIRS COMMITTEE

VISA ISSUING POWERS OF GERMAN CONSULS ABROAD

(Report of Working Party on Travel Control)

1. The Working Party on Travel Control refers to POL/Misc(50)21 of August 14, 1950, Visa Issuing Powers of German Consuls Abroad (French proposal), which was referred to it for consideration by the Political Affairs Committee in its Decisions Nos. 663(N) of August 11 and 701(N) of August 18. The Working Party has considered this proposal and recommends that the Political Committee take the following decisions:

(a) German Consuls abroad shall be authorized to issue entry visas for Germany to nationals of the Occupying Powers, with the exception of British, French and U.S. officials and military personnel, and members of Allied military contingents participating in the occupation of Western Germany and their families.

(b) German Consuls may not refuse an entry visa for Germany to a national of the Occupying Powers without the consent of the Allied authorities. This consent shall be given by the Combined Travel Board, which the Consul shall inform of the request in the Office for Foreign Affairs at Bonn. The Board, after full consultation by the Consul, and the Embassies of the nationality concerned agreeing to the refusal, the Consul need not consult the Combined Travel Board but must report the refusal.

(c) When the German Consulate General in Paris assumes visa functions, the Combined Travel Board offices in Paris and its branches in France shall be closed. There shall then be set up in Strasbourg an Allied Combined Travel Board office. This office, which shall operate in liaison with the Federal Administration and may employ German personnel, shall be empowered to issue to nationals of the Occupying Powers only visas in emergency cases or when travellers have not been able to go to one of the German Consulates. The Combined Travel Board shall submit to the Political Committee a report on the Strasbourg office and activities of this office in order that the Committee may be able to evaluate the necessity for its continued existence.

2. The Working Party understands that in agreeing to the above recommendations, the French element continues to reserve the right to resume its original proposal of June 30 for the abolition of visas for Allied nationals should the development of the general situation permit.

3. In view of the above recommendations, the last paragraph 4(a) of POL/P(50)43 of August 3, 1950, Summary of Decisions on Travel Control Policy in Germany, which was approved by the Political Affairs Committee in its Decisions Nos. 663(N) and 664(N) on August 11 (Conclusion 70), the Working Party recommends that the Combined Travel Board for Allied Nationals in the Territory of Germany should be made responsible for the granting of visas to persons entering the Federal Republic as official members of the Allied Commission.

C O N F I D E N T I A L

RESTRICTED

5 September 1950.

CTC/CTB/P(50)214.

Texte francais joint

COMBINED TRAVEL BOARD

VISAS FOR THE SOVIET ZONE OF GERMANY

(Note by Secretariat)

1. At its thirty-eighth meeting held on 25th August 1950 the Political Affairs Committee took the following decision :

"POINTS ARISING FROM PREVIOUS MINUTES -

(x) Visas for the Soviet Zone of Germany (POL/M(50)37, Conclusion 714(b).

THE MEETING:

(720) (q) noted that each Member would advise his Government of certain proposed changes in procedure in view of the fact that the Volkspolizei in the Eastern Zone of Germany had apparently been empowered by the Soviet Authorities to issue visas to foreign nationals for travel in the Eastern Zone of Germany;

(r) agreed

(1) that assistance by the Occupation Authorities to Allied nationals in obtaining these visas must not be given;

(2) that officials of the Occupying Powers should not seek to obtain these visas;

(3) that this development rendered all the more urgent the transfer to the Federal authorities of operational responsibility for travel control."

2. This paper will be submitted to the Board for information at its next meeting.

Secretary to the Board.

CTB/392.

Copy to: CTD/202/1

THE CHANCERY,
OFFICE OF THE UNITED KINGDOM HIGH COMMISSIONER,
WAHNERHEIDE, BAOR 19

4th September, 1950

CONFIDENTIAL

217/6/5/50

Dear Morris,

We have been asked by Berlin who will be competent to issue entry visas for Berlin when the German consular services have assumed this responsibility as regards the Federal Republic.

Any decision on this point will have to take account of the views of the three elements (and in particular of the French) on the status of Berlin vis a vis the Federal Republic. A possible expedient would be for the consular officers to issue visas for Berlin, using the normal procedure, but endorsing them "on behalf of the CTB".

We have at present no strong views but, since the matter requires a tripartite decision, it would appear to be desirable that the CTB should discuss it, and if possible submit agreed recommendations to the Political Affairs Committee. I should be grateful if you would arrange to discuss the question with your colleagues and let us have a recommendation.

Yours ever
Terence Garvey

Brigadier H. E. A. Morris, CIE, OBE, ADC (Retd),
Combined Travel Board (British Element),
Herford, BAOR 15

File copy

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COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

British Address
Herford
B.A.O.R. 15.

U.S. Address
Herford
APO 757, US Army

French Address
S.P. 51084
B.P.M. 515

CTB/278

Tel: Herford 2941, Ext. 24

17 September, 1950

To: Geheimrat G. Rödiger
Bundeskanzleramt
Dienststelle fuer auswärtige Angelegenheiten
Bonn
Ermekeilstr. 74

SUBJECT: Transfer of Responsibilities to the Federal Republic for the Issue of Visas.

1. Referring to our Meeting at the Petersberg on the 12th of September, 1950, I am writing to confirm the various matters discussed and the points on which early information is required from the Federal Government.

2. The Allied High Commission have directed that German Consuls abroad may be empowered to issue Visas for Germany to all Foreign Nationals other than:-

(a) British, French and U.S. civilian officials of the Allied High Commission,

(b) British, French and U.S. Military Personnel,

(c) Members of Allied Military contingents participating in the Occupation of Western Germany,

(d) Families and Dependants of categories (a), (b) and (c) above.

3. Transfer of Visa Issuing Powers is subject to the following conditions:-

(a) German Consuls may issue Visas without reference to Combined Travel Board to all foreign nationals other than those persons who are included in any Travel Restriction List or other prohibited categories of persons which may be from time to time communicated to the Federal Government by the Allied High Commission.

(b) British, French or U.S. nationals, other than those exempted in para 2 above, may not be refused a Visa for Germany without the prior consent of the Allied Authorities. This consent will be given by the Combined Travel Board

who German Consuls will consult through the Bundeskanzleramt, Dienststelle fuer auswaertige Angelegenheiten. This condition covers nationals of the Occupying Powers who may not be included in any Travel Restriction List supplied by the Allied High Commission but to whom the German Authorities, for reasons of their own, may wish to refuse a Visa.

(c) When the German Consulate General in Paris assumes Visa functions, the Allied High Commission Permit Office in Paris and its Sub-Offices at Colmar and Metz will be closed. At this time an Office will be set up at Strasbourg under the control of the Combined Travel Board. This Office may employ German personnel and shall be empowered to issue Visas to local residents and in exceptional cases to other nationals of the Occupying Powers.

(d) As and when German Consulates are established abroad and are in a position to assume Visa functions, existing Allied High Commission Permit Offices will be closed. Ultimately the Allied High Commission will retain only the following offices:-

Warsaw,
Prague,
Budapest,
Vienna, (including Sub-offices at Salzburg and Innsbruck)
Saarbrucken

with, of course, the additional office at Strasbourg mentioned above. In addition Allied Consular Agencies who, at present, act on behalf of Combined Travel Board in countries where Permit offices are not established, will continue their functions until German Consuls are appointed.

(e) Effective from a date to be agreed the existing arrangements for the financing and control of Allied High Commission Permit Offices will be discontinued in favour of an arrangement whereby all revenues accruing in the remaining offices under Combined Travel Board control will be credited to the Federal Government. On the other hand the Federal Government will be expected to meet all expenditures incurred for the maintenance and operation of these offices including meeting of any deficits which may arise.

4. As pointed out at our meeting the Allied High Commission desire the speediest possible implementation of the above stated policy and in the case of the Consulates at London, Paris and New York have stated especially that the transfer should take effect from the 1st of October 1950 or the earliest practicable date thereafter. I cannot over-emphasise the need for urgent action to meet the wishes of the Allied High Commission, particularly in regard to the immediate problem

of London, Paris and New York. This is vitally necessary as it is the desire of the Allied High Commission to reduce the numbers of Allied personnel available to the Combined Travel Board as from the 1st of January, 1951. Therefore, the speed at which you can organise a successor Agency is of paramount importance to ensure no interruption in the flow of travellers to Germany.

5. Turning from the statement of general Allied policy and the need for its speedy implementation I now record other points which arose during our discussion.

6. Visa Instructions.

(a) Your Draft was drawn up before you were aware of the policy finally agreed by the Allied High Commission and before you had had an opportunity to study the existing Combined Travel Board External Instructions concerning the issue of Entry and Transit Permits. A new draft is now required covering:-

(i) Allied High Commission policy in regard to the powers of German Consuls,

(ii) Special procedures or methods of documentation required for various categories of persons in whom the Allied Authorities have an interest or who are the subject of international Agreements made by the Combined Travel Board during the past few years.

(b) Occupation Forces Personnel, Nationals of the Occupying Powers and Travel Restriction List.

Your Visa Instructions should contain a statement of Allied policy and the action to be taken by German Consuls.

(c) Displaced Persons.

Displaced Persons have been resettled in other countries under Re-settlement Agreements made by the Allied Authorities. These Agreements contain clauses giving Accepting Governments the right to return Displaced Persons to Germany within a fixed period from the date of resettlement. It will be necessary for the German Consuls to recognise the necessity to issue Visas to persons within this category on request by Governments. External Instruction No. 19 refers.

(d) Stateless Persons and Holders of Aliens Travel Documents.

You will note from the External Instruction No. 3 that the Combined Travel Board have adopted a rigid policy in this respect. You may, therefore, consider the adoption of a similar policy. There is no insistence

on our part for adoption of the same policy as this is considered to be a matter for the Federal Government.

(e) Assumption of Residence by Non-Germans.

The procedure in External Instruction No. 21 was designated to meet an immediate problem until such time as the Federal Government could propose a procedure whereby non-German nationals may obtain permission to reside and work in Germany. It is, therefore, requested that you state how it is proposed handling this matter in the future. Would you please also advise what advice you wish us to give to applicants who apply for extensions of residence permission already issued by the Combined Travel Board.

(f) Rhine Traffic.

External Instruction No. 15 sets out the documentation required in respect of persons employed on the Rhine in accordance with the Agreements reached in the Central Rhine Commission. The continuance of the existing form of documentation is necessary until such time as variations are mutually agreed by the members of the Central Rhine Commission. The Consuls-General in Paris and London must therefore be prepared to undertake this work at the same time as other Visa functions are assumed. I am enclosing an impression of the present form of Rhine Barge Permit issued by Allied High Commission Permit Offices.

(g) International Road Transport.

The existing procedure for the authorisation of motor trucks and passenger buses is contained in External Instruction No. 7 and is the result of an International Agreement concluded in Geneva. This procedure has been extended until 31 December 1950 and must be continued until alternative methods have been decided upon by the Bundesverkehrsministerium. The Consulates in London and Paris must be prepared to undertake this work when Visa functions are assumed.

(h) Visa Fees.

This scale of fees at present operated by the Combined Travel Board is contained in External Instruction No. 106. It is requested that you state your proposals in this respect as soon as possible together with your views concerning the use of fiscal stamps.

(i) Extensions of Visas.

Please state the conditions under which extensions will be granted and how they may be obtained within Germany.

(j) Statistical information.

Until we arrive at the final stage when the Federal Government will have assumed the responsibility of all Allied High Commission Permit Offices, German Consulates will supply a Monthly Return similar to that called for in External Instruction No.103. We will agree the details at later discussions.

7. Visa Stamps and Application Forms.

You handed me impressions of your proposed Entry and Transit Visas and Application Forms. I will confirm very shortly our agreement to your proposals. In the meantime I am enclosing * impressions of the Permit Stamps now in use by the Combined Travel Board. Your views are requested as to whether Combined Travel Board Offices and Allied Consular Agencies should continue to use the existing CTB Permit stamps or whether you would prefer our offices to adopt your Visa stamps during the interim period until German Consulates have succeeded Combined Travel Board Offices and the later stage when CTB Offices and Agencies will be acting in countries where there are no German Consular Representatives.

8. Hand-over Procedure for individual Offices.

When an effective date for transfer of responsibilities is settled in respect of each country the following procedure will apply:-

(a) The Allied High Commission Permit Office will complete action on all applications received up to and including the day immediately preceding the date of transfer.

(b) From the date of transfer all applications and enquiries will be directed to the German Consulate.

(c) The Allied High Commission Permit Office will transfer to the German Consulate all case files and office records which are not required by the Allied High Commission.

(d) Applications referred to the Combined Travel Board by Allied High Commission Permit Offices and which have not been settled by the date of transfer will be handed over by the Combined Travel Board to the Bundeskanzleramt, Dienststelle fuer auswaertige Angelegenheiten for completion of action and notification of decision to the Consulate.

(e) All Permits issued by liquidated CTB Offices will be valid for the duration originally granted.

125

VISITOR'S PERMIT
PERMIS POUR VISITEUR
EINREISEGENEHMIGUNG FÜR BESUCHSZWECKE
No. .....

Valable pour un ...
Gültig für eine Hin- und Rückreise von ... Erhöhung

from / de / von .....
to / à / nach .....
before / avant le / vor dem .....
Date / Datum .....

68

TRANSIT No. _____

Permit for direct transit of the US. British. French Zone(s) of Germany.

Permis pour transit sans arrêt de(s) Zone(s) Americaine, Britannique, Française d'Allemagne.

Erlaubnis für Durchreise ohne Aufenthalt der Amerikanischen, Britischen, Französischen Zone(n) Deutschlands

Valid for one single journey of / Valable pour un seul voyage de / Gültig für eine Durchreise von ... days / jours / Tagen

from / de / von .....
to / à / nach .....
before / avant le / vor dem .....
Date / Datum .....

63

TRANSIT No. _____

Permit for direct transit of the US. British. French Zone(s) of Germany.

Permis pour transit sans arrêt de(s) Zone(s) Américaine, Britannique, Française d'Allemagne.

Erlaubnis für Durchreise ohne Aufenthalt der Amerikanischen, Britischen, Französischen Zone(n) Deutschlands.

Valid for several return journeys of ... days each way
Valable pour plusieurs allées et retours de ... jours chaque sens
Gültig für mehrere Hin- und Rückreisen von ... Tagen Gültigkeit

from / de / von _____

to / à / nach _____

before / avant le / vor dem _____

Date / Datum _____

68

TRANSIT No. _____

Permit for direct transit of the US. British. French Zone(s) of Germany.

Permis pour transit sans arrêt de(s) Zone(s) Américaine, Britannique, Française d'Allemagne.

Erlaubnis für Durchreise ohne Aufenthalt der Amerikanischen, Britischen, Französischen Zone(n) Deutschlands

Valid for one return journey of ... days each way
Valable pour un aller et retour de ... jours chaque sens
Gültig für eine Hin- und Rückreise von ... Tagen Gültigkeit

from / de / von _____

to / à / nach _____

before / avant le / vor dem _____

Date / Datum _____

68

TRANSIT No. _____

Permit for direct transit of the US. British. French Zone(s) of Germany.

Permis pour transit sans arrêt de(s) Zone(s) Américaine, Britannique, Française d'Allemagne.

Erlaubnis für Durchreise ohne Aufenthalt der Amerikanischen, Britischen, Französischen Zone(n) Deutschlands

Valid for one single journey of ... days
Valable pour un seul voyage de ... jours
Gültig für eine Durchreise von ... Tagen

from / de / von _____

to / à / nach _____

before / avant le / vor dem _____

Date / Datum _____

68

RHINE BARGEE PERMIT.

PERMIS POUR BATELIER DU RHIN.

RHEIN-SCHIFFER-GENEHMIGUNG

In Germany the holder of this Laissez-Passer is authorised to travel on the Rhine and the Inland Waterways of Western Germany and to stay only in the harbours and anchorage places for the sole purpose of exercising the profession of boatman. Unless this authorisation is cancelled by the issuing authorities, it will be valid until: (see below).

Validité en Allemagne: voyages seulement sur le Rhin et les Voies Navigables de l'Allemagne Occidentale, les ports et lieux d'ancrage pour l'exercise de la profession de batelier. Sauf annulation par les autorités qui l'accordent, la présente autorisation sera valable jusqu'à (voir ci-dessous).

Der Inhaber dieses Passes ist in Deutschland berechtigt, nur den Rhein und die Binnen-Wasserstraßen Westdeutschlands zu befahren und sich nur zur Ausübung seines Berufes als Schiffer in den Hafen und Ankerplätzen aufzuhalten. Wenn diese Genehmigung nicht von den zuständigen Behörden für ungültig erklärt wird, ist sie gültig bis:

(Date/Datum) _____

Date of Issue
Date d'émission
Ausstellungsdatum _____

Place of Issue
Lieu d'émission
Ausgestellt in _____

Signature
Unterschrift _____

FILE CTB/278

CONFIDENTIAL

C.C.G. Form 85

(98)

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

OUTGOING TELEGRAM FORM

C.C.G. FORM (LARGE)

CALL	SERIAL No.	PRIORITY	TRANSMISSION INSTRUCTIONS	T. H. I.

FROM COTRABO HERFORD

FOR ACTION SEE BELOW

REPEATED

SECURITY CLASSIFICATION CONFIDENTIAL
DEGREE OF PRIORITY ROUTINE
TIME OF ORIGIN

For Action: 1. FOREIGN OFFICE LONDON FOR HYPOFF
2. UNGHS FOR HYPOFF NEW YORK CITY
3. HYPOFF PARIS
4. HYPOFF BRUSSELS
5. HICOG FRANKFURT PASS TO HYPOFF COPENHAGEN
6. HYPOFF STOCKHOLM

Repeated Cots

CTB/278(.) 7 September 1950(.)

ONE(.) Request cable information showing percentage total traffic and average monthly numbers Permits issued to following categories(.)

A(.) British French and U.S. High Commission civilian officials and their dependants posted or visiting Germany in official capacity(.)

B(.) As A. above but in respect military personnel and their dependants(.)

C(.) As A. above but in respect Allied Military Contingents participating in occupation of Germany and their dependants(.) This category refers to Belgians Danes and Norwegians.

TWO(.) Each office to supply information in respect of his own office only and figures should include all persons who travel to Germany in connection with occupation or because their dependants reside in Germany as members of occupation(.) Estimates only required urgently as possible(.) All informed(.)

SIGNATURE J.J. Gilligan
APPOINTMENT Dep. Director, External Affairs
DIV/GP CTB
TELEPHONE NUMBER Herford 2941 Ext. 24

O.R.
TIME CLEARED
INITIALS

ORIGINATOR: CTB
ORIGINATOR'S REF. No: CTB/278.
INTERNAL DISTRIBUTION:

CONFIDENTIAL

PSS(HQ) 3259 7/8 MX 100/3-49

CONFIDENTIAL

FILE CTB/278

91

278

24

4 September, 1950

To: Allied High Commission Permit Office, London
" " " " " Paris
" " " " " New York

SUBJECT: Transfer of Responsibility to German Consular Representatives

Reference our letter CTB/278 of the 5th August.

1. The Political Affairs Committee have discussed once more the matter of handing over of the Travel Restriction List to the German Consuls-General appointed to London, Paris and New York. It has now been agreed that the existing Travel Restriction List will be handed over to these Consuls-General, subject to certain names being deleted, at the request of the Intelligence Authorities in Germany. Amended Travel Restriction Lists are being prepared at Herford on the basis of information supplied by the Intelligence Organisations. These lists, when amended, will be handed over to the German Authorities at Bonn for transmission to the Consuls-General.

2. This is an interim measure pending the compilation of a revised edition of the existing T.R.L. for issue to all German Consuls as and when they are established. You will appreciate that this decision is a variation of the information previously given. You are now requested to inform the National Authorities concerned of the changed position and to request that they should compile lists of German nationals resident in your respective countries who are not included in the existing T.R.L. but to whom it is undesirable to issue Passports for travel to Germany or elsewhere. Any lists which are drawn up on this basis should be handed to your offices for direct transmission to the Consuls-General and CTB, Herford.

3. The Consuls-General will therefore be in possession of an interim revised CTB T.R.L. plus any additional names supplied locally. Also the CTB will be in possession of the additional names for inclusion in the revised edition of the T.R.L.

4. Pending the receipt by the Consuls-General, through German channels, of the amended T.R.L. referred to above, you should continue to operate on the instructions given in paragraph 4 of our letter of the 5th August, i.e. arrange for all applications to be submitted to your offices for vetting.

/5.

CONFIDENTIAL

5. Agreement has now been reached on the Allied side concerning the instructions to be issued to the Consuls-General covering the issue of Passports and a meeting will be taking place with the German Authorities within the next week to finalise the instructions. Within a very few weeks it should therefore be possible for the Consuls-General to start issuing their own Passports.

FOR THE COMBINED TRAVEL BOARD

(T.J. GILLIGAN)
Deputy Director
External Affairs Directorate.

Copy to: Intelligence Division,
Herford,
BAOR. 15.

Office of the Director of Intelligence,
Headquarters EUCOM,
APO 403, US Army.

M. le Prefet,
Chef des Services de Surete,
Baden-Baden.

Security Section,
CTB, Herford.

TJG/OMA.

Policy File

All for

CTB/202/1

30th August, 1950

To : Herrn Bundesminister des Innern,
B O N N,
Rheindorfer Strasse 198.

SUBJECT : Delegation of Ministerialrat Doktor Freiherr von Mahs

The Combined Travel Board has until now deferred its reply to your letter of the 21st July 1950, in view of a subsequent conversation with Ministerialrat Doktor Freiherr von Wolff.

It is now understood that you no longer wish this delegation to be arranged, and the Combined Travel Board will not therefore initiate any action unless they hear further from you that you wish them to do so.

Chairman/Director General.
Combined Travel Board

I spoke M. O'Martin 17/8, who states we reply received from Germany. Since then, matter has been removed from Pol. Com. agenda. Freiherr von Wolff I have asked to inform Minister that we are aware of Ministry's new attitude, & to explain delay in formal reply. M. O'M will discuss with von Wolff next week, at Working Party

[illegible]
18/8

259

87

D R A F T

To :- Herrn Bundesminister des Innern
B o n n
Rheindorfer Strasse 198

M. Dijon
je suis d'accord, mais il y a lieu d'en signaler la traduction !
23/8

SUBJECT : Delegation of Ministerialrat Doktor Freiherr von Mahs.

The Combined Travel Board has until now deferred its reply to your letter of the 21st July 1950, in view of a subsequent conversation with Ministerialrat Doktor Freiherr von Wolff.

It is now understood that you no longer wish this delegation to be arranged, and the Combined Travel Board will not therefore initiate any action unless they hear further from you that you wish them to do so.

Secretary to the Board.

18/8

~~258~~ 86 85 ~~257~~

French Address
S.P. 51084
B.P.M. 515

Mr Falconer.

Ref attached.

M Gromand promised to communicate the decision of his High Commissioner as to whether 'secondment' is acceptable. I deferred further action pending news from M. Gromand. Will you pl. ascertain whether it has yet been received & if not take action to insure that M Gromand is asked at once what the French answer is.

[illegible]

COMBINED TRAVEL BOARD
OFFICE TRIPARTITE DE LA CIRCULATION

British Address	U.S. Address	French Address
Herford	Herford	S.P. 51084
B.A.O.R. 15	A.P.O. 757, U.S. Army	B.P.M. 515

CTB/ URGENT

Tel : Herford 2941, Ext. 2983

To: - Brigadier Morris

Attached is letter from Minister Heinemann re Freiherr von Kane.

I offer the following comments: -

1. Seconding is proposed instead of posting, since there is no establishment at all at Bonn - von Wolff himself is still held on a B.A.O.R. establishment.

2. The conditions of seconding are that his salary would be paid by Bonn, and we would have the jurisdiction over him, other than the right to terminate the seconding, and recall him. He would have no jurisdiction whatever over the Art.

3. The Germans are hard put to it to find technical experts elsewhere, since passport matters are in the hands of the Gestapo from circa 1935 onwards.

4. The risk that the Germans might later say that we forced von Kahn on them and influenced their decisions is eliminated by the fact that we hold a letter from the Minister himself asking us to take this action.

MINISTER DES INNERN

21

Bonn, den 21. July 1950
Rheindorfer Straße 198
Fernruf 8541

To
Combined Travel Board
Herford

Subject: Delegation of Ministerialrat Dr.Freiherr von Maaß of the Office for Exit and Entrance Permits in Bad Salzuflen to the Federal Ministry of the Interior at Bonn.

May I request you to have Ministerialrat Dr.Freiherr von Maaß delegated to the Federal Ministry of the Interior in order to be employed here as technical expert for the transfer of the pass-port office to the German authorities.

I should appreciate it if you would agree to the delegation and because of the urgency of the matter transmit your agreement directly to the Office for Exit and Entrance Permits in Bad Salzuflen.

Heinemann
(Heinemann)

82

83

[illegible] des [illegible] — BONN, le 21 Juillet 1950

[illegible] de la [illegible]

[illegible]

OBJET : Affectation du Ministerialrat Dr. Freiherr von [illegible] de l'Amt für Ein-Und Ausreisegenehmigungen à Bad Salzuflen au Ministère de l'Intérieur à BONN.

Il serait désirable que le Ministerialrat Dr. Freiherr von [illegible] [illegible] au Ministère Fédéral de l'Intérieur pour [illegible] fonctions [illegible] dans les négociations pour le transport des [illegible] aux autorités Allemandes en matière de circulation.

Je vous serais reconnaissant de vouloir bien prendre en considération cette proposition, et en aviser d'urgence l'Amt für Ein und Ausreisegenehmigungen de votre décision.

[illegible]

ESMINISTER DES INNERN

Z 1

Bonn, den 21. Juli 1950.
Rheindorfer Straße 198
Fernruf 8541

(82)

An
Combined Travel Board,
H e r n o r d

Betrifft: Abordnung des Ministerialrats Dr. Freiherr v. Maaß vom Amt für Ein- und Ausreisegenehmigungen in Bad Salzuflen zum Bundesministerium des Innern in Bonn.

Es ist erwünscht, daß Ministerialrat Dr. Freiherr von M a a ß zum Bundesministerium des Innern abgeordnet wird, um hier als technischer Sachverständiger für die Überleitung des Paßwesens auf deutsche Stellen tätig zu werden.

Ich bitte, sich mit der Abordnung einverstanden zu erklären und der Beschleunigung wegen das Einverständnis unmittelbar dem Amt für Ein- und Ausreisegenehmigungen in Bad Salzuflen zu übermitteln.

Heinemann
(Heinemann)

24 August 1950. OTC/CTB/CAB(50)34.

COMBINED TRAVEL BOARD

NOTE BY THE SECRETARY TO THE BOARD

Subject: Consideration of Item 5(i) of the Agenda of the Thirty-Sixth Meeting of the Board of Directors.

1. Under item 5(i) certain decisions taken by the Political Affairs Committee in the course of three successive meetings have to be considered. These decisions deal both with the transfer of powers to the German Authorities and the abolition of visas between the Saar and Federal Territory.

2. It is suggested to the Board that when this item is considered all considerations regarding the Saar should be set aside, and, furthermore, this latter question has been entered on the agenda under item 9 with adequate documentary support.

3. With respect to the transfer of powers to the German Authorities the papers submitted can be analysed as follows:-

(a) OTC/CTB/P(50)181 and OTC/CTB/P(50)187.

These papers merely reproduce preliminary discussions at the level of the Political Affairs Committee, and have only information value.

(b) OTC/CTB/P(50)197

This paper reproduces a decision referring the latest proposal made by the French Delegate, distributed under POL/MEMO(50)21, to the Working Party for consideration. This proposal can be summarised as follows :-

- Withdrawal of a previous proposal for the abolition of entry visas for nationals of the Occupying Powers subject to a reserve that the original proposal should be re-considered if the development of the general situation allows of this;

- Competence of German Consuls abroad to issue entry visas to nationals of the Occupying Powers other than Occupation Personnel and their families;

- Inability of German Consuls to refuse a visa to a national of the Occupying Powers without the agreement of the Allied Authorities;

/....

- Establishment of a restricted office of the Combined Travel Board in Strasburg to handle certain special cases concerning nationals of the Occupying Powers.

The conclusions of the Working Party are not yet known, but, at its thirty-seventh meeting on 18th August 1950 the Political Affairs Committee requested the Working Party to submit its recommendations as soon as possible.

4. The papers referring to this question are completed by a summary of recommendations on the executive measures to be taken concerning transfers to the German Authorities. These recommendations are to be considered under item 5(xiii) of the agenda.

CTB/202/1

CTB/269

CTB/509

250 (79)

RESTRICTED

24 August 1950 OTC/CTB/P(50)203

Texte francais joint

COMBINED TRAVEL BOARD

Summary of Present and Future Requirements in Connection with the Transfer of Responsibility for Travel Control to the Germans

1. The Political Affairs Committee took the following decision at its Thirty-Seventh Meeting held on 18th August, 1950 :

" 703. SUMMARY OF PRESENT AND FUTURE REQUIREMENTS IN CONNECTION WITH THE TRANSFER OF RESPONSIBILITY FOR TRAVEL CONTROL TO THE GERMANS

The Meeting considered POL/P(50)43.

THE MEETING:

(703) (a) approved this paper;

(b) instructed the Secretariat to forward this paper to the Combined Travel Board for necessary action;

(c) agreed, subject to confirmation by the French Member, that as an interim measure, and in order to permit the German Consulates in New York, Paris and London to begin operations as soon as possible, these German Consulates would be furnished with the existing Travel Restriction Lists, for use until such time as the single unified Travel Restriction List was completed. "

2. The paper POL/P(50)43, quoted above, has been circulated on a restricted distribution, and is also to be found in file CTB/202/1.

3. This paper will be considered by the Board at its next Meeting.

Secretary to the Board

J. DIJON

CTB/202/1

FILE CTB/278

SECRET

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CTB/278

21 August, 1950

To: Director-General (British)
" " (U.S.)
" " (French)
Director, Internal Affairs
" Passport Control
Security Section.

From: Deputy Director,
External Affairs Directorate.

Attached is copy of H.C.P.O. London, letter regarding hand-over to German Consul, for your information. I am dealing with the points raised.

(T.J. GILLIGAN)

SECRET

TJG/OMA.

CONFIDENTIAL

Policy

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~~24~~ P.

CONFIDENTIAL

21 August 1950. OTC/CTB/P(50)197.

Texte francais joint

COMBINED TRAVEL BOARD

202/1

TRANSFER TO THE FEDERAL GOVERNMENT OF OPERATIONAL RESPONSIBILITY FOR TRAVEL CONTROL

(Note by Secretariat)

1. The Political Affairs Committee at its thirty-sixth meeting held on 9 August 1950, made the following decision (POL/M(50)26):

"683 - Points arising from previous Minutes.

(vi) Transfer to the Federal Government of Operational Responsibility for Travel Control (POL/M(50)25, Conclusion 669(e).

THE MEETING:

(683) (1) agreed to instruct the Working Party on Travel Control to examine a revised proposal of the French Member (to be circulated as POL/Memo(50)21) and to furnish the Committee for consideration at its next meeting recommendations on the practical implications, giving due consideration to the undesirability of decentralizing the authority referred to in paragraph 3(b) of the memorandum;

(m) noted

(1) the statement of the French Member regarding his discussions with the Federal Chancellery, from which it emerged that the Federal Government raised no objection to the Allied High Commission's proposal regarding the abolition of visas between the Saar Territory and Germany;

(2) that the Government of the Saar Territory had agreed that visas to enter the Saar Territory would be issued free of charge to German nationals from 1 September 1950 and that the visa requirement for German nationals entering the Saar territory would be abolished with the least delay, if possible before 1 January 1951, and at the latest by 1 March 1951;

(n) agreed, in view of the statements at (m) above, that with effect from 1 September 1950, holders of Saar passports would enter the Federal Territory without visas;

(o) noted that the French Member would prepare for consideration by the Committee at its next meeting the appropriate letters to the Federal Chancellery and to the Combined Travel Board, in implementation of (n) above;

/....

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OTC/CTB/P(50)197.

(p) noted the statement by the British Member that, in the absence of an agreement for the abolition of the visa requirement for nationals of the Occupying Powers on the lines previously discussed, he wished to propose

(1) that German Consular Officers in the United States, France and Great Britain should, as from a date not later than 1 J[illegible]y 1951, receive unrestricted competence to grant visas to the nationals of the Occupying P[illegible]rs, other than members of the Allied Forces;

(2) that thereafter, each of the Occupying Powers should be free to negotiate bilateral agreements with the Federal Government for the abolition of the visa requirement for its nationals entering Germany;"

2. This paper will be considered by the Board at its next Meeting.

Secretary to the Board.

J. DIJON.

CTB/202/1

Annexe: POL/Memo(50)21.

CONFIDENTIAL

14 August 1950.

Annexe to:
OTC/CTB/P(50)197.
POL/Memo(50)21.

VISA ISSUING POWERS OF GERMAN CONSULS ABROAD.

(French Proposal)

1. The Political Affairs Committee began on 30 June to study French proposals regarding the visa issuing powers of German Consuls abroad (POL/Memo(50)18). These proposals provided principally for the abolition of entry permits for the territory of the Federal Republic in respect of nationals of the three Occupying Powers.

2. The U.S. Member was not prepared to approve these proposals. Furthermore, the development of the international situation has led even certain offices of the French administration to express reservations regarding the desirability of making such changes at the present time.

3. In these circumstances, the French Member withdraws his earlier proposals for the time being and recommends that the Political Affairs Committee should accept the principle that German Consuls should have the power to issue visas to Allied nationals and he suggests that the Committee should take the following decision :

(a) German Consuls abroad shall be empowered to issue entry visas for Germany to nationals of the Occupying Powers, with the exception of British, French and U.S. officials and military personnel, and members of Allied military contingents participating in the occupation of Western Germany, and their families;

(b) German Consuls may not refuse an entry visa for Germany to a national of the Occupying Powers without the consent of the Allied authorities. This consent could be given by the Combined Travel Board or its successor agency, which the Consul would be obliged to consult and which might to this end appoint a duly-empowered liaison officer in each of the three capitals.

(c) With regard to France, a small branch of the Combined Travel Board or its successor agency shall be set up in Strasbourg. This office, which shall operate in liaison with the Federal authorities and can employ German personnel, shall be empowered to issue to nationals of the Occupying Powers only the necessary visas in specific cases; i.e., in emergency cases or when travellers have not been able to go to one of the Consulates.

4. The French Member of the Political Affairs Committee reserves the right to re-submit his original proposal of 30 June should the development of the general situation so permit.

CONFIDENTIAL

Policy file

C.C.G. FORM 85 A

(71)

CONTROL COMMISSION FOR GERMANY (BRITISH ELEMENT)

OUTGOING TELEGRAM FORM

C.C.G. FORM (SMALL)

CALL | SERIAL No. | PRIORITY | TRANSMISSION INSTRUCTIONS | T. H. I.

FROM COTRABO HERFORD

FOR ACTION SECSTATE WASH D.C.

REPEATED USHICOG TCD FRANKFORT

SECURITY CLASSIFICATION UNCLASSIFIED

DEGREE OF PRIORITY DEFERRED

TIME OF ORIGIN

DEPTEL 1217 August 15, 1950.

Clearance German consular instruction being expedited. Only recently submitted by Federal Republic. Proposed meeting with Federal Republic scheduled next week to finalize. Will advise soonest.

SIGNATURE JEAN J. CHENARD

APPOINTMENT Director General (US)

DIV/GP

TELEPHONE NUMBER Herford 2941, Ext 12

T.O.R. August 22, 1950

TIME CLEARED

INITIALS Copies to: Mr. Olivier-Martin. Mr. Erdoes.

ORIGINATOR

ORIGINATOR'S REF. No.

INTERNAL DISTRIBUTION

CTB/278

PSS(HQ)5259* 8M X 100/3-49

feels that suggestions are of a wide scope and importance and not within the competence of this Branch Office to answer.

M1

4. Your comments to the Allied Working Party with copy to this office would be greatly appreciated.

Policy

(70)

...INED TRAVEL BOARD
...CE TRIPARTITE DE LA CIRCULATION

...ITISH ADDRESS:	US ADDRESS:	FRENCH ADDRESS:
BERLIN	HICOG BERLIN	S.P. 50.307
BAOR 2	APO 742 US ARMY	B.P. M. 600

CTB/BLN/625/3

Tele.: 44011

15 August 1950

SUBJECT: Transfer to German Authorities of Attribution in Travel Matters.

TO : Director of
Internal Affairs Directorate
Herford, Germany
B.A.O.R. 15

1. Enclosed please find letter from Allied Working Party of the Kommandatura dated 29 June 1950. Although this office was included on the distribution list the letter did not reach us until early in August when an inquiry was made from the Working Party as to the cause of delay in answering the questions raised. This office then searched through the Kommandatura files to locate the letter in question.

2. Your attention is invited to the fact that the channel between the Working Party, this office and Headquarters Herford is not very clear. It is suggested that the Working Party be requested to include Headquarters on it's distribution list for all matters pertaining to travel. Such occurrences could then be avoided, and the reply channelled directly back to the Working Party, or through the Berlin Branch Office. In any case, the question would be dealt with competently.

3. With regard to the questions raised in the enclosed letter this office feels that suggestions are of a wide scope and importance and not within the competence of this Branch Office to answer.

4. Your comments to the Allied Working Party with copy to this office would be greatly appreciated.

FOR THE COMBINED TRAVEL BOARD:

MEMO sent 29/8/50

M B Lustgarten
M.I. M.B. LUSTGARTEN
Branch Office Chief

Mr. O'Martin: Believe Mr. Lustgarten has a point! The Directorate is charged with policy + believe that Kommandatura Working Party should deal with same + not Branch Office! Gravy 18 Aug 50 — (Have any action you deem necessary) WILCO — Secretariat! Gr. 24 Aug 50

Mr. M'Esdaes
Quite agreed - please answer on the lines you suggest!
23/8

Encl: Ltr GTC/memo (50) I
dtd 29.6.1950

J.V.A. CUNY.

KOMMANDATURA INTERALIEE DE BERLIN

Groupe de Travail Circulation

GTC/Memo(50)I
29 Juin 1950

DESTINATAIRES : Président du Comité Finances
Président du Comité Economie
Président du Comité de Sécurité Publique
Président du Bureau Régional de l'Office Tripartite de la Circulation de Berlin.

O B J E T : Transfert aux Autorités Allemandes d'attributions en matière de circulation.

REFERENCE : AK/Circ(50)10 du 9 Juin 1950

Le Groupe de Travail Circulation formé par décision des Délégués pour l'étude en ce qui concerne Berlin du transfert aux Autorités Allemandes d'attributions en matière de circulation a été autorisé à demander tous les concours qui lui seront nécessaires pour l'exécution de sa tâche.

Le Groupe de Travail vous serait obligé de lui faire connaître les mesures qu'il vous paraît opportun de prendre en matière de circulation et principalement en ce qui concerne les questions suivantes :

- contrôle des titres de circulation et contrôle douanier pour les personnes et les marchandises entrant à Berlin ou quittant cette Ville ;

- catégories de sujets non-allemands auxquels les Consuls allemands à l'étranger ne devraient pas être habilités à délivrer l'autorisation de pénétrer sur le territoire du Grand-Berlin ;

- titres de circulation nécessaires aux allemands des Secteurs Occidentaux de Berlin lorsque le Gouvernement Fédéral aura été autorisé à délivrer ses propres passeports ;

- liaison douanière requise entre le territoire de la République Fédérale et celui des Secteurs Occidentaux de Berlin.

Le Groupe de Travail est prêt à se réunir en séance commune avec les experts que vous voudriez éventuellement lui désigner.

Le Président du Groupe de Travail ;

J.V.A. CUNY.

SECRET

68 L

8 Août 1950 POL/P(50)43

DIFFUSION RESTREINTE

HAUTE COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

(Note du Secrétariat)

RESUME DES EXIGENCES ACTUELLES ET FUTURES DECOULANT DU TRANSFERT AUX ALLEMANDS DE RESPONSABILITES EN MATIERE DE CONTROLE DE LA CIRCULATION.

I. - Le présent document contient un rapport sur le sujet précité approuvé par le Groupe de Travail sur le Contrôle de la Circulation lors de la réunion qu'il a tenue le 4 Août 1950.

2. - Ce document sera soumis au Comité des Affaires Politiques pour examen.

Secrétariat { S.L. EHRLICH
J.G. JOOS
O.T.L. STEGER

SECRET

68 K

POL/P(50)43

HAUTE COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

RESUME DES EXIGENCES ACTUELLES ET FUTURES DECOULANT DU TRANSFERT AUX ALLEMANDS DE RESPONSABILITES EN MATIERE DE CONTROLE DE LA CIRCULATION.

I. - Mesures à prendre du côté allemand.

1. - Organisation

(a) Création d'un organisme destiné à délivrer des passeports en Allemagne et à contrôler la délivrance des passeports par les Consuls à l'étranger.

Une réponse a été reçue de la Chancellerie Fédérale précisant qu'un projet de loi fédérale sur les passeports est actuellement en préparation et sera soumis à bref délai à la Haute Commission Alliée. Le projet prévoit la création d'un bureau Fédéral des passeports, organisme central de délivrance des passeports et considéré comme une haute autorité fédérale.

Le Ministre des Affaires Intérieures n'envisage qu'un seul organisme de délivrance des passeports pour l'ensemble du territoire fédéral; les bureaux dans les Laender se contenteraient de recevoir les demandes de passeport.

Les discussions qui ont eu lieu à ce sujet, le 5 Juillet, entre le Groupe de Travail et la Délégation allemande sont notées dans l'annexe au présent document.

Les experts Alliés et Allemands sont en rapport les uns avec les autres, et des conversations se poursuivent dans le but de veiller à ce que les besoins alliés soient sauvegardés au moment où l'on jettera les bases de l'organisation fédérale.

..../...

(b) Création d'un organisme de contrôle des passeports aux frontières.

Le Groupe de Travail est unanime à mettre en doute qu'il soit possible pour le Gouvernement Fédéral de maintenir un système uniforme et efficace de contrôle des passeports par l'intermédiaire des organismes de Laender. Il décide qu'une nouvelle tentative doit être faite pour persuader la Délégation allemande d'accepter un arrangement permettant de confier le contrôle des passeports sur tous les points de la frontière à un Service Fédéral d'immigration distinct du Service Fédéral des douanes, mais doté des mêmes pouvoirs; si celà s'avèrait véritablement impossible il faudrait alors songer à créer un organisme de contrôle des passeports qui dépend du Service des douanes. Dans les deux cas on utiliserait au maximum le personnel de contrôle des frontières des Laender, déjà sur pied, qui agirait conformément à des directives centrales et serait assujetti à un contrôle central.

La discussion qui a eu lieu à ce sujet entre le Groupe de Travail et la Délégation allemande est notée dans l'Annexe au présent document.

Il est décidé que, dès qu'une décision sur la forme de l'organisation allemande aura été prise, les experts alliés entreront en rapport avec les experts allemands dans le but de veiller à ce que les plans allemands tiennent compte des besoins alliés.

2. - Législation

Il sera nécessaire, du coté allemand, d'adopter les textes législatifs suivants :

(i) Une loi portant création d'un service de contrôle des passeports,

(ii) Une loi portant création d'une autorité habilitée à délivrer des passeports (comme précisé ci-dessus, ceci est en préparation),

(iii) Une loi ou des règlements sur la délivrance des passeports,

(iv) Règlements sur les visas.

Les textes ci-dessus énumérés doivent être élaborés de façon à tenir compte des besoins alliés.

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II. - Mesures à prendre du côté allié

1. - Définition des besoins alliés en matière de sécurité

Les trois Délégations sont tombées d'accord sur la définition suivante relative aux besoins alliés en matière de sécurité.

(a) Restreindre l'entrée et la sortie des personnes énumérées sur la liste noire et des personnes appartenant à certaines catégories définies (il est décidé, mais ceci ne sera pas communiqué aux Allemands par écrit, que des mesures discriminatoires par catégorie ne seront appliquées qu'aux communistes).

(b) Recevoir des renseignements sur l'entrée et la sortie de toutes les personnes se rendant en Allemagne ou en sortant, et sur tous les passeports et visas accordés ou refusés.

2. - Définition des modalités à suivre pour la sauvegarde des besoins alliés en matière de sécurité

Les trois Délégations sont d'accord sur le fait que le moyen de faire respecter les restrictions mentionnées au paragraphe 1 (a) ci-dessus, serait de fournir aux Allemands une simple liste, comportant des indications précises sur la façon dont les personnes inscrites sur la liste seront traitées; ainsi qu'un nombre limité de catégories de personnes dont les demandes de visas seront communiquées au Bureau Tripartite de la Circulation pour décision. Le Groupe de Travail a noté que la proposition britannique (POL/P(50)37) de remanier la liste noire et les instructions en matière de sécurité, est actuellement étudiée par les Chefs de service de renseignements. Sans s'engager au point de donner son appui à certaines des mesures individuelles proposées dans le document en question, le Groupe de Travail reconnaît la nécessité de simplifier les méthodes existantes en matière de sécurité et de les communiquer sous une forme claire aux Allemands pour exécution.

Il sera possible d'obtenir les renseignements mentionnés au paragraphe 1 (b) ci-dessus en créant un système de vérification automatique basé sur des contrôles efficaces à la frontière, et sur un système de fichier central, et en prenant des dispositions pour que des comptes rendus soient régulièrement fournis sur les numéros des passeports délivrés et des visas accordés par les Autorités allemandes. Le Groupe de Travail est d'accord sur la fait que les informations nécessaires ne peuvent être obtenues que si un contrôle central unique aux frontières, du côté allié et du côté allemand, est rendu efficace.

3. - Détail des dispositions nécessitant un accord entre les Autorités d'Occupation des trois Puissances

(a) Délivrance des passeports

(i) Nécessité de consulter l'Office Tripartite de la Circulation

En ce qui concerne la délivrance des passeports par les services consulaires allemands à l'étranger, il est décidé que les Consuls pourront, sans s'en référer à l'OTC, délivrer des passeports à tous les Allemands ayant leur résidence habituelle dans les limites des territoires sous leur juridiction respective, si les personnes en question ne sont pas inscrites sur la liste noire ou ne font pas partie des catégories fixées par HICOM (voir sous-paragraphe (ii) ci-dessous).

En ce qui concerne la délivrance des passeports par les Autorités Fédérales en Allemagne, le Sous-Comité décide que toute personne détenant des documents de l'OTC, pourra librement échanger ces derniers contre un passeport allemand. Un exemplaire supplémentaire de toute nouvelle demande sera, aussitôt après réception, envoyé par l'Autorité allemande habilitée à délivrer des passeports à l'OTC pour transmission aux services de renseignements. La délivrance des passeports ne sera pas suspendue, en attendant la conclusion de l'enquête effectuée pour des fins de sécurité par ces services qui resteront toutefois libres de demander par l'intermédiaire de l'OTC, que les passeports soient suspendus ou retirés ultérieurement.

(ii) Validité territoriale

Les trois Délégations, après avoir examiné le document POL/OTC/CTB/P(50)82 sont d'accord sur le fait que la Haute-Commission Alliée n'imposera normalement aucune restriction quant à la validité territoriale des passeports allemands.

L'Office Tripartite de la Circulation, avec l'aide des Missions alliées en Amérique Latine, est en train d'élaborer une liste des personnes auxquelles des passeports valables pour l'Amérique Latine ne seront pas délivrés.

 ..../...

Cette liste sera incorporée dans la liste de restrictions sur les voyages. On espère qu'elle sera terminée avant que les Allemands ne soient en mesure de commencer à délivrer des passeports en grand nombre.

Il est décidé, qu'avant qu'un passeport ne soit délivré, l'Office Tripartite de la Circulation sera saisi de tous les cas où il ressortira de la demande de passeport que le demandeur désire se rendre en Argentine.

(iii) Conditions requises pour l'obtention d'un passeport fédéral.

Les Autorités d'Occupation n'ayant pas de pouvoirs réservés dans le domaine de la Nationalité, il est décidé que le choix des catégories de personnes autorisées à recevoir un passeport fédéral sera laissé au Gouvernement Fédéral sans intervention de la part des Alliés (la Délégation française formule des réserves en ce qui concerne la délivrance à Berlin Ouest, de passeports fédéraux aux Allemands résidant à Berlin). Il est d'autre part décidé que dans tous les cas où les titres de circulation sont délivrés aux Allemands par les Autorités Alliées, ce sont les règles allemandes qui s'appliquent en matière d'habilitation du demandeur en ce qui concerne son Statut National.

(b) Délivrance des visas

Les trois délégations sont d'accord sur le fait que les services Consulaires allemands à l'étranger délivreront, sans avoir à en référer, des visas à tout ressortissant étranger (autre que les ressortissants des Puissances d'Occupation) qui ne sera pas porté sur la liste noire ou compris dans l'une des catégories interdites.

Le Comité des Affaires Politiques discute actuellement des dispositions à prendre aux fins d'accorder des visas aux ressortissants des trois Puissances d'Occupation et aux Sarrois.

4. - Organisation Alliée

Dans la mesure où il est possible de faire des prévisions, les changements suivants devront être apportés

aux dispositions alliées d'ordre administratif actuellement en vigueur.

(a) Le personnel exécutif de l'OTC en Allemagne disparaîtra et sera remplacé par des inspectorats tripartites à effectif restreint s'occupant respectivement de questions intéressées (délivrance de passeports par les Autorités allemandes en Allemagne), de questions extérieures (délivrance de passeports et de visas, par les services consulaires à l'étranger, et contrôle des bureaux de permis conservés), enfin de contrôle des passeports. Les consulats allemands devraient pouvoir assumer leurs fonctions à la date du Ier Janvier 1951, ce qui permettrait de fermer tous les bureaux de permis existants à l'exception de ceux de Varsovie, Prague, Budapest et Vienne. La liquidation des bureaux secondaires de Kehl, Colmar, Metz et Sarrebruck actuellement subordonnés au bureau des permis de Paris, nécessitera un examen séparé.

(b) A une date qui reste à fixer, l'accord administratif existant, devra être modifié de façon à prévoir que tout excédent net résultant des activités ultérieures des bureaux de permis de la Haute Commission Alliée qui resteront ouverts, soit porté au Crédit de la République Fédérale et que tout déficit soit supporté par la République Fédérale.

Les trois Délégations se sont mises d'accord pour que dans l'intervalle les droits et taxes continuent à être perçus par les Bureaux de permis de la Haute-Commission Alliée d'après le barème en vigueur.

(c) Au cas où les fonctionnaires Consulaires Allemands se verraient conférer le pouvoir de délivrer des visas aux ressortissants des trois Puissances d'Occupation, sauf en ce qui concerne les membres des Forces Alliées, il sera nécessaire de désigner un ou des services habilités à délivrer des visas aux dits membres des Forces Alliées.

S E C R E T

ANNEXE à POL/P(50)43

HAUTE COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

NOTES SUR LA SECONDE REUNION TENUE ENTRE LES REPRESENTANTS DU COMITE DES AFFAIRES POLITIQUES ET DU GOUVERNEMENT FEDERAL, LE 6 JUILLET 1950, AU PETERSBERG, POUR DISCUTER DU TRANSFERT AUX AUTORITES ALLEMANDES DE RESPONSABILITES EN MATIERE DE CONTROLE DE LA CIRCULATION

Représentants Anglais : Mr. T. W. Garvey (Président)
Brg. H. E. Morris
Mr. A. G. Padgett

Représentants Américains : Mr. B. Gufler
Mr. R. Benten
Mr. Erdoes

Représentants Français : Mr. Bayle
Mr. Olivier Martin

Représentants Allemands : Ritter von Lex
(Ministère de l'Intérieur)

Dr. Dittmann
(Service de Liaison)

Frhr. von Wolff
(Ministère de l'Intérieur)

Dr. Kratzer
(Ministère de l'Intérieur)

Dr. Hagemann
(Ministère de l'Intérieur)

S E C R E T

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ANNEXE à POL/P(50)43

Le Président expose les exigences de la Haute Commission Alliée relatives à la sécurité et les moyens envisagés pour y satisfaire, acceptés par le Groupe de Travail, il fait remarquer ensuite que la proposition alliée visant à la création d'un service fédéral de contrôle des passeports est presque uniquement basée sur les dites exigences, et doit être prise très au sérieux. Les Alliés exigent leur exécution efficace et uniforme, d'où résulterait également pour eux la possibilité de ne conserver qu'un inspectorat à faible effectif; ils n'accueilleraient pas favorablement une multiplicité d'organisations qui entraînerait des contrôles bien plus nombreux et imposerait aux Allemands une charge d'autant plus lourde. La Haute Commission n'a pas été impressionnée par les arguments de nature constitutionnelle présentés par les Autorités Fédérales en faveur de la dévolution aux Länder des pouvoirs de contrôle des passeports.

Cette question donne lieu à une longue discussion, au cours de laquelle Ritter von Lex reprend les arguments constitutionnels basés sur les Articles 30 et 84 de la Loi Fondamentale, et souligne que selon la tradition allemande le contrôle des passeports a toujours été exercé par la Police. Le Gouvernement Fédéral lui-même préfère que ces fonctions soient exercées par un service fédéral, et désirerait le créer en vertu de l'Article 87. Cependant, les Länder se placent sur un terrain solide en affirmant que le contrôle des passeports relève de leur compétence et il est difficile de trouver un moyen de vaincre leur opposition.

Le Président répond que la Haute-Commission Alliée n'admet pas la thèse selon laquelle le contrôle des passeports relève de la Police. A son avis, le Bund est libre de légiférer, s'il le désire, en vertu de l'Article 73 (3), et de créer un organisme exécutif fédéral, en vertu de l'Article 87. Tous les autres sujets mentionnés à l'Article 87 sont, ou seront traités par les services fédéraux. Il est difficile de comprendre pourquoi il serait nécessaire d'agir différemment à l'égard de la vérification des passeports. En tout cas, la Haute-Commission est effrayée de devoir dépendre, lorsque des mesures de redressement seraient nécessaires, de la procédure fixée par l'Article 84 (4). Ritter von Lex répond que l'on peut escompter que les Länder ne recourront pas cette clause, car ils reconnaîtront que celà entrainerait une intervention alliée. Jusqu'ici ils ont très habilement mené ces travaux dans les zones américaine et française, et ce, en certains cas, par l'intermédiaire du Service Fédéral des Douanes.

M. Gufler répond que tout en professant beaucoup d'estime pour la valeur de la Police bavaroise de contrôle des frontières, la Haute-Commission Alliée est intéressée à ce qu'un système uniforme de vérification des passeports soit appliqué sur tout le territoire de la République Fédérale, système dans lequel elle ne serait pas obligée d'intervenir.

Le Président ajoute que si le Gouvernement Fédéral compte sur l'intervention des Alliés pour assurer le bon fonctionnement de ce système, la Haute-Commission Alliée préférerait peut-être rendre la question de vérification des passeports indépendante des autres problèmes de circulation, que l'on a convenu de remettre aux Allemands, et prendre elle-même ses dispositions dans ce domaine conformément à ses besoins propres.

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ANNEXE à POL/P(50)43

Ritter von Lex admet enfin que ses difficultés sont d'ordre politique plutôt que constitutionnel, et demande si, en raison de l'attitude de la Haute-Commission Alliée sur ce point, il pourrait avoir toute liberté d'action lors des négociations ultérieures avec les Länder. Il en est ainsi décidé.

Le Président demande ensuite des précisions sur les propositions du Gouvernement Fédéral quant à l'organisation de la délivrance des passeports.

Ritter von Lex signale que les bureaux régionaux du Service Fédéral ne pourront pas être créés sans qu'un texte législatif spécial ne soit promulgué ce qui nécessiterait les majorités prévues par(l'Article 87, (3), dernière phrase); il dit que le Gouvernement Fédéral envisage de faire traiter toutes les demandes de passeports par les services de Land, d'où elles seraient transmises pour approbation à l'Office Fédéral des passeports, qui serait le seul organisme habilité à délivrer des passeports. Cette méthode rendrait nécessaire la conclusion d'un accord administratif avec les Länder, aux termes duquel ces derniers prélèveraient une partie des droits perçus. Le Gouvernement Fédéral a examiné la possibilité de créer plusieurs bureaux régionaux, mais pour le moment il s'oppose à cette mesure, bien qu'elle entraîne plus de commodité. Il convient de discuter cette question ultérieurement avec les Länder.

Le Président en approuvant cette proposition, déclare que la Haute-Commission Alliée n'exclut pas la possibilité de créer plusieurs bureaux habilités à délivrer des passeports. Il serait utile de discuter cette question avec les Länder en même temps que se dérouleront les négociations portant sur la vérification des passeports. La Haute-Commission Alliée aurait tendance à examiner plus favorablement une proposition visant à la décentralisation de la délivrance des passeports, si elle obtenait satisfaction sur la vérification des passeports. Il propose que des entretiens entre experts commencent immédiatement sur la vérification des passeports, afin que les exigences alliées soient prises en considération lors de l'élaboration des dispositions à prendre par les Allemands.

Allemands	Office Tripartite de la Circulation
Frhr. von Wolff	Messieurs Olivier-Martin
Herr von Maas	Nethercott
	Erdoes

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Le Dr. Dittmann signale qu'il a écrit à la Haute Commission Alliée le 4 Juillet au sujet de la délivrance par les Consuls allemands de passeports et de visas. Ce problème est indépendant des questions d'ordre interne discutées jusqu'ici, et le Service central par l'entremise duquel des instructions pourraient être données existe déjà, c'est la Chancellerie Fédérale. Comment devra

s'exercer le contrôle allié ?

Le Président envisage un contrôle central exercé par l'entremise de la Chancellerie, et un inspectorat mobile d'un effectif restreint, il fait remarquer que dans ce domaine, il est également nécessaire que des discussions aient lieu entre experts. L'intention de la Haute Commission Alliée n'est pas que toutes les demandes de passeports et de visas soient transmises à l'Office Tripartite de la Circulation, mais dans certains cas il sera nécessaire de le faire; le Président n'est encore pas à même d'entrer dans les détails.

Le Dr. Dittmann répond que dans sa lettre il donnait les noms des experts Allemands (la délégation de l'Office Tripartite de la Circulation sera la même que celle qui est mentionnée ci-dessus, pour la délivrance des passeports) il ajoute qu'il informera la Haute Commission Alliée du moment où chaque Consulat sera prêt à assumer ses fonctions. Les Consulats de Londres, de Paris et de New-York seront prêts à la fin août.

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Ritter von Lex soulève d'autres points, relatifs aux réponses du Président.

I. - La Haute-Commission Alliée se propose-t-elle d'exercer un contrôle sur chaque fonctionnaire préposé à la délivrance des passeports ?

Non, elle envisage des inspections intermittentes des postes frontières.

2. - Il demande que le droit de refuser l'agrément ne soit exercé qu'à l'encontre de fonctionnaires d'un rang élevé.

L'intention de la Haute-Commission n'est pas d'entreprendre des enquêtes approfondies; cependant, nous devons réserver notre droit de refuser l'agrément.

3. - Il demande que les directives de la Haute-Commission Alliée soient d'ordre général seulement, et que l'Office Tripartite de la Circulation ne procède pas, par exemple, à l'examen de dossiers individuels.

L'importance des exigences de la Haute-Commission a déjà été exposée. Celle-ci n'a aucun désir d'intervenir dans les cas où elle peut éviter de le faire. Toutefois, elle ne peut renoncer à son droit d'intervenir, si nécessaire, dans des cas individuels. Les inspecteurs de l'Office Tripartite de la Circulation n'interviendront pas sur place, mais signaleront à l'échelon supérieur les irrégularités constatées par eux pour mesures à prendre.

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ANNEXE à POL/P(50)43

En conclusion, Ritter von Lex signale que, en raison de la nécessité de discuter cette question au Conseil des Ministres et de promulguer ensuite un texte législatif, il convient de considérer les opinions exprimées par la Délégation Allemande comme étant actuellement seulement celles du Ministère de l'Intérieur et de la Chancellerie.

Policy CTB/278

(77)

(68)

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278 24

5 August 1939

SUBJECT: Transfer of Responsibilities to German Consular Representatives

TO: Allied High Commission Permit Office - London
Allied High Commission Permit Office - Paris
Allied High Commission Permit Office - New York

1. Pending settlement of outstanding policy questions and the compilation of a revised Travel Restriction List to be operated by the German Consular Offices, the Political Affairs Committee have directed that the German Consuls General appointed to London, Paris and New York be authorised to issue passports to German Nationals as soon as they are in a position to undertake the work. The Federal Government has been informed of this decision and also that as it may be some time before the Travel Restriction List is available for general distribution and operation by German Consuls, your offices would draw up intermittent lists in consultation with the national authorities concerned of German Nationals resident in Great Britain, France and the United States to whom passports should not be issued, these lists to be handed by you directly to the German Consuls General locally.

2. At the same time it was decided that the German Consuls would only be empowered to grant passports to German Nationals resident within the territorial limits of the countries in which the Consuls were established. Therefore, the German Consuls General will be confined to issuing passports as follows:

a. LONDON. Residents of England, Wales, Scotland and Northern Ireland, but not to residents of the Irish Republic.

b. PARIS. Passports may only be issued to residents of the Departments of France; that is to say, it excludes residents of the Saar, French Morocco, and so forth.

c. NEW YORK. Passports may only be issued to residents of the United States. Residents of Canada and Central and South America are excluded. In those territories where German Consuls are not established, the agencies of the Combined Travel Board will continue to be responsible for the issue of travel documents.

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CTD/278 August 1950
Subject: Transfer of Responsibilities to German Consular Representatives

An exception to this general rule is that a Consul may issue a passport to an applicant not residing within his territorial jurisdiction provided the applicant had previously held a Combined Travel Board document issued either within or outside of Germany. This eventuality should, however, not arise in the immediate future in the case of the Consuls General in London, Paris and New York.

3. You are requested as a matter of urgency to discuss with the national authorities concerned the compilation of a suitable intermittent Travel Restriction List to be handed to the German Consuls General. In drawing up this intermittent list you should take into account the fact that the Federal Government propose a very liberal interpretation of the national laws in deciding whether an individual is entitled to a Federal Government passport. They are proposing to consider as German Nationals persons who may be very doubtful cases as their nationality has been acquired under Hitler legislation not yet repealed; for example, former members of the Waffen-S.S. Organization Todt. You will, therefore, appreciate the necessity for giving a wide interpretation as to whom is a German National when drawing up the intermittent lists.

4. The Political Affairs Committee advised that intermittent lists should be prepared locally of persons to be refused passports. It has, however, been agreed that it is more effective and expeditious in application to arrange for the Consuls General to submit all their applications to your offices for vetting before issue of passports rather than to hand over voluminous lists which will in any case only be temporary until a coordinated list is issued from Germany. Will you please arrange accordingly with the appropriate authorities and advise the Combined Travel Board of names submitted by the national authorities in addition to the details already contained in the T.R.L. Please supply this office with copies of such additional lists giving the following minimum information:

a. Surname.

b. Full Christian names.

c. Date and place of birth.

d. Nationality.

e. Source of information and to whom reference should be made in the event of a trace. (Naturally, information which we have requested is for our own use only and will not be that given to the Consuls General.)

5. Discussions have recently taken place at the Combined Travel Board with representatives of the Federal Chancellery and the Ministry of Interior to settle the terms of the instructions under which German Consuls will issue passports in London, Paris and New York, and also to fix the fees to be charged in this connection. It is hoped that these

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Subject: Transfer of Responsibilities to German Consular Representatives

instructions will be finalised in time for the Consuls General to be ready to issue passports at the end of August or early in September. This target date is more likely to be met in New York as the representatives in Paris and London may be delayed owing to practical housekeeping difficulties.

6. The policy in regard to the issue of entry or transit visas by German Consuls has not yet been resolved. However, there is no objection on our part to your immediately providing the German representatives in your cities with any statistical or other practical information which may be of assistance in enabling the Consuls General to appreciate the volume of work and organization required in undertaking the issue of visas. You should not, however, involve yourselves in discussions concerning the categories of persons whom the Germans may or may not document, nor the effective date for transfer, nor should you hand over copies of our instructions, security or otherwise. All that is required is to insure that the Consuls General are aware of the size of the problem so that when the appropriate time arrives the transfer of responsibility may be undertaken smoothly to insure continuity of service to the travelling public.

FOR THE COMBINED TRAVEL BOARD:

(T. J. GILLIGAN)
Deputy Director,
External Affairs Directorate

Copies to:
1) Security Section
Combined Travel Board
Herford

2) Intelligence Division
Herford, B.A.O.R. 15

3) Office of the Director of Intelligence
HUGCM, Heidelberg
APO 403, U.S. Army

4) M. le Prefet
Chef du Service de la Sureta
Haut Commissariat de la Republique
Francaise en Allemagne
Baden-Baden

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Policy

Policy file (77)

AIRGRAM

DEPARTMENT OF STATE 1875

RESTRICTED

HICOG,

FRANKFURT.

A-204 July 20, 1950

N.T.

Insert in correct file

Reference your telegram 409, July 15 from Herford.

The Interim Office is already in process of turning over its consular functions to the German Consul General. The inevitable confusion involved in this transfer would be compounded by having the Allied High Commission Permit Offices at New York and Washington issue travel documents during the short period the Germans presumably will require before they are ready to issue passports.

Your despatch no. 613 of April 17 stated that it would be "unadvisable" to make any interim arrangement for the issuance of documents in the United States by HICOM offices. Your telegram no. 304 of June 20 from Bonn transmitted the request of the German Government that the Interim Office continue to issue travel documents until the delivery of German passports to Dr. Krekeler. In a letter dated June 19, Dr. Riesser, Deputy Consul General at New York, had made a similar request. In its reply to Dr. Riesser, dated June 24, the Department agreed to continue the issuance of travel documents until the Germans were ready to take over this operation. The Germans have expressed their appreciation. Consequently, it is undesirable to turn over the issuance of travel documents to HICOM offices. The Department therefore intends to continue the present arrangement.

ACHESON

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RESTRICTED

7 August 1950. OTC/CTB/P(50)187.

Texte français joint.

CTB/202/1

COMMITTEE TRAVEL BOARD

TRANSFER TO THE FEDERAL GOVERNMENT OF OPERATIONAL RESPONSIBILITY FOR TRAVEL CONTROL

(Note by Secretariat)

1. The Political Affairs Committee at its thirty-fifth meeting held on 28th July 1950, made the following decision :

(ii) Transfer to the Federal Government of Operational Responsibility for Travel Control (POL/M(50)2), Conclusion 653(k)).

THE MEETING:

(669) (d) noted

(1) the statement by the French Member that his Government agreed that the Federal Government should be consulted regarding its views on the proposal to abolish visas for nationals of the Occupying Powers; that the formal agreement of the Government of the Saar Territory had been received concerning the proposal that holders of Saar passports should be enabled to enter the Federal territory without visas and that reciprocal facilities should be extended to German nationals; and that a member of his staff had already made an approach to the Federal authorities, whose replies were now awaited;

(2) the statement by the British Member that he withdrew his suggestion that any arrangement regarding abolition of visas for nationals of the Occupying Powers should be brought into effect by bilateral agreements negotiated between the Governments of France, the United States and Great Britain and the Federal Government; and that he considered that the necessary action could be undertaken within the executive responsibility of the Allied High Commission;

(3) the statement by the US Member that, in the view of his Government, the abolition of visas for nationals of the Occupying Powers was not acceptable on the grounds that it discriminated against nationals of the other Allies; that it subjected the Occupation Authorities to the charge that Germany was being treated as a colony; and that such abolition had undesirable security aspects;

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(4) the further statement by the British Member that the consent of the Federal Government to the arrangement would destroy the basis for any accusation of colonial treatment and that, with regard to discrimination, the arrangement would place nationals of the Federal Republic in exactly the same position vis-a-vis the three Occupying Powers with regard to visas as that of British and French nationals vis-a-vis the United States;

(5) the further statement by the French Member that he appreciated the concern of the US Element regarding the security aspects of the matter, which was also shared by his Government and was at present under examination;

(6) that the British and French members had established a common position in this matter;

(e) deferred further consideration of the matter until the next meeting;"

2. This decision follows on decision 653(v) which has already been brought to the attention of the Board under OTC/CIB/P(50)181 and its addendum.

3. This paper will be considered by the Board at its next Meeting.

Secretary to the Board.

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RESTRICTED

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RESTRICTED

1st August 1950. OTC/CTB/P(50)182.

Texte francais joint.

OCCUPIED TRAVEL BOARD

TRANSFER OF CERTAIN POWERS TO THE GERMAN AUTHORITIES - COMPOSITION OF THE GERMAN DELEGATION

(Note by Secretariat)

1. The Political Affairs Committee, at its thirty-fourth meeting held on 21st July 1950, made the following decision :

" 656 - TRANSFER OF CERTAIN POWERS TO THE GERMAN AUTHORITIES - COMPOSITION OF THE GERMAN DELEGATION.

The Meeting considered POL/CTB/P(50)72.

THE MEETING:

(656) (a) noted the statement by the Chairman that this matter had been satisfactorily resolved;

(b) instructed the Secretariat to remove the matter from the Agenda. "

2. This document will be considered by the Board at its next Meeting.

Secretary to the Board.

CTB/202/1

RESTRICTED

7 August, 1950.

Texte francais joint

Addendum to:
OTC/CTB/P(50)181.

COMBINED TRAVEL BOARD

TRANSFER TO THE FEDERAL GOVERNMENT OF RESPONSIBILITIES IN CONNECTION WITH TRAVEL CONTROL

(Note by Secretariat)

The Political Affairs Committee, at its thirty-fifth meeting held in Bonn-Petersberg on 28th July 1950, completed conclusion 653 k (ii) already circulated to the Combined Travel Board (OTC/CTB/P(50)181, as under :

"668 - Confirmation of the Minutes of the Thirty-Fourth Meeting.

The Meeting considered POL/ (50)24.

THE MEETING:

(668) (b) Conclusion 653 (k) (ii), substitution of a comma for the semi-colon at the end of the paragraph, and addition of the following text :

"it being understood that, from the time when entry permits for the Federal territory were abolished for holders of Saar passports, visas for the Saar territory would be issued free of charge to German nationals";

Secretary to the Board.

CTB/202/1

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RESTRICTED

1st August 1950.

OFC/CTB/1(50)181.

Texte francais joint.

COMMITTEE TRAVEL BOARD

TRANSFER TO THE FEDERAL GOVERNMENT OF OPERATIONAL RESPONSIBILITY FOR TRAVEL CONTROL

(Note by Secretariat)

1. The Political Affairs Committee, at its thirty-fourth meeting held on 21st July 1950, made the following decision :

" 653 - TRANSFER TO THE FEDERAL GOVERNMENT OF OPERATIONAL RESPONSIBILITY
(v) FOR TRAVEL CONTROL (POL/ (50)2), Conclusion 634 (1) (7).

THE MEETING:

(653) (j) noted

(1) the statement by the US Member that he was not prepared to accept the French Member's proposals;

(2) the statement by the British Member that he was prepared to accept the French Member's proposals regarding the abolition of visas for nationals of the Occupying Powers, on condition that the agreement of the Federal Government was obtained; and, further, that in his view it would be appropriate if the arrangements were brought into effect by bilateral agreements negotiated between the Governments of France, the United States and Great Britain and the Federal Government;

(3) the statement by the French Member that he did not consider it necessary to conclude formal agreements with the Federal Government, since this subject fell within the reserved powers of the Allied High Commission, but that he thought his Government could agree to a certain degree of consultation with the Federal Government;

(k) agreed

(1) that each Member would refer the disagreement at (j) above to his Government for further instructions, and that if a common position could not be established at the next meeting the matter would be referred to the Council;

(2) that, subject to confirmation by the French Member of the formal agreement of the Government of the Saar Territory, and subject to the informal agreement of the Federal Government, holders of Saar passports should be enabled to enter the Federal territory without visas and that reciprocal facilities should be extended to German nationals subsequent to the negotiation of the appropriate agreement between the Governments of France and the Saar Territory;"

2. This decision should be read in conjunction with decision 634(vi) which has already been brought to the attention of the Board of Directors at a previous meeting (see OFC/CTB/1(50)161).

3. This document will be considered by the Board at its next meeting.

Secretary to the Board.

CTB/202/1

Copy to CTB/50

J. DIJON.

31 July 1950.

OIC/CTB/CAB(50) 30

Texte français joint

COMBINED TRAVEL BOARD

To: Board Distribution.

Subject: Nomination of German Consuls-General at Amsterdam, Athens, Copenhagen, Istanbul, Luxemburg, Ottawa, Pretoria and Rome.

1. The Combined Travel Board has received a copy of document MGSEC (50) 1575 forwarding eight letters to the Political Affairs Committee concerning the nominations made by the Federal Government to the above-mentioned capitals.

2. This communication is made for information.

3. The document MGSEC (50) 1575 is filed on Policy File CTB/278.

Secretary to the Board.

CTB/278

J. DIJON.

~~238~~ (50)

27th July, 1950 CTC/CTB/P(50)173

Texte francais joint

COMBINED TRAVEL BOARD

DISCUSSIONS WITH THE REPORTS FROM THE FEDERAL GOVERNMENT

(Note by Secretariat)

1. In the attached paper CTC/CTB/INT(50)12 the Internal Affairs Directorate draws attention to certain differences between the legislation of 1952, the present instructions of the Combined Travel Board, and the proposals of the Federal Government concerning various matters in connection with passports. The Board is requested to give guidance as to future action.

2. This paper will be considered by the Board at its next meeting.

Secretary to the Board.

CTB/509

Copy to : CTB/202/1

RESTRICTED

27 July, 1950

Annexe to :
OTC/CTB/P(50)178
(OTC/CTB/IA(50)12)

MEMORANDUM FROM INTERNAL AFFAIRS DIRECTORATE

SUBJECT : Meetings with Experts of the German Federal Government

1. The Political Affairs Committee has authorised the Federal Government to apply the prescriptions of Ordinance dated 10th June, 1919 and 7th June, 1932, in connection with the issuance of passports, and provided that such prescriptions are not in any way contrary to Allied High Commission Directives.

2. The draft instructions drawn up by the Federal Government for promulgation to German Consulates-General, copies of which have been communicated to the Combined Travel Board, comprise two categories of prescriptions.

(i) Prescriptions of a political nature rather than of a legal nature and endeavouring to determine the individuals over whom the Consulates-General will have competence in this field.

(ii) Prescriptions of a technical character.

3. In so far as the Directives of a political nature are concerned, the Chairman of the Working Party intends to extend them in consultation with the German experts and, after having reported to The Board, to submit them to the Political Affairs Committee for decision.

4. In respect of the prescriptions of a technical character, the attached schedule has been drawn up in order that a comparison may be made in each case when there is any divergence in the proposed solutions :

(i) as prescribed by the German Legislation of 1932

(ii) as prescribed in present Combined Travel Board instructions

(iii) as proposed by the Federal Government.

5. A further column has been added to this schedule in which the decision proposed by the Internal Affairs Directorate has been indicated. The Board is requested to approve these proposals.

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(48)

RESTRICTED

SCHEDULE

Annexe to :
OTC/CTB/A(50)176
(OTC/CTB/INT(50)12)

PROPOSED EXCESSIONS

	1932 Legislation	OTC Instructions	Federal Government's Proposals	Remarks of Internal Affairs Directorate
1. Family passport	Prescribed Para 3(ii)	Not Prescribed	Prescribed	Agreed
2. Age limit	15 years Para 3(iv)	16 years	15 years *	Agreed *
3. Territorial restrictions	Prescribed Para 9	Imposed	Prescribed	? which to be adopted
4. Validity	5 years Para 10	2 years	5 years	5 years proposed
5. Refusal to grant a passport	Prescribed Para 2	Prescribed	Not Prescribed except TRL	To Prescribe
6. Possession of two passports	Prescribed Para 13(ii)	Prescribed	Prescribed	Not Proposed
7. Withdrawal of a finished (full) passport	Prescribed Para 14	Not Prescribed	Prescribed*	Agreed *
8. Supplementary pages	Prohibited Para 18	Prescribed	Prohibited*	Agreed *
9. Married women				
10. Certificates for children	Prescribed Para 37	Not Prescribed	Prescribed*	Agreed *
11. Collective travel documents	Nominal Roll Para 62	Collective Passports	Nominal Roll	To be Discussed

~~202~~ (44)

27th July, 1950 CTC/CTB/P(50)173

Texte francais joint

COMBINED TRAVEL BOARD

DISCUSSIONS WITH THE REPRESENTATIVES OF THE FEDERAL GOVERNMENT

(Note by Secretariat).

1. In the attached paper CTC/CTB/INT(50)12 the Internal Affairs Directorate draws attention to certain differences between the legislation of 1932, the present instructions of the Combined Travel Board, and the proposals of the Federal Government concerning various matters in connection with passports. The Board is requested to give guidance as to future action.

2. This paper will be considered by the Board at its next meeting.

Secretary to the Board.

CTB/509

Copy to : CTB/202/1

~~221~~ (43)

RESTRICTED

27 July, 1950

Annexe to :
OTC/CTB/P(50)178
(OTC/CTB/IAE(50)12)

MEMORANDUM FROM INTERNAL AFFAIRS DIRECTORATE

SUBJECT : Meetings with Experts of the German Federal Government

1. The Political Affairs Committee has authorised the Federal Government to apply the prescriptions of Ordinance dated 10th June, 1919 and 7th June, 1932, in connection with the issuance of passports, and provided that such prescriptions are not in any way contrary to Allied High Commission Directives.

2. The draft instructions drawn up by the Federal Government for promulgation to German Consulates-General, copies of which have been communicated to the Combined Travel Board, comprise two categories of prescriptions.

(i) Prescriptions of a political nature rather than of a legal nature and endeavouring to determine the individuals over whom the Consulates-General will have competence in this field.

(ii) Prescriptions of a technical character.

3. In so far as the Directives of a political nature are concerned, the Chairman of the Working Party intends to extend them in consultation with the German experts and, after having reported to The Board, to submit them to the Political Affairs Committee for decision.

4. In respect of the prescriptions of a technical character, the attached schedule has been drawn up in order that a comparison may be made in each case when there is any divergence in the proposed solutions :

(i) as prescribed by the German legislation of 1932

(ii) as prescribed in present Combined Travel Board instructions

(iii) as proposed by the Federal Government.

5. A further column has been added to this schedule in which the decision proposed by the Internal Affairs Directorate has been indicated. The Board is requested to approve these proposals.

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RESTRICTED

SCHEDULE

Annexe to :
OTC/CTE/F(50)178
(OTC/CTE/INT(50)12)

PROPOSED DECISIONS

	1932 Legislation	OTC Instructions	Federal Government's Proposals	Remarks of Internal Affairs Directorate
1. Family passport	Prescribed Para 3(ii)	Not Prescribed	Prescribed	Agreed
2. Age limit	15 years Para 3(iv)	16 years	15 years *	Agreed *
3. Territorial restrictions	Prescribed Para 9	Imposed	Prescribed	? which to be adopted
4. Validity	5 years Para 10	2 years	5 years	5 years proposed
5. Refusal to grant a passport	Prescribed Para 2	Prescribed	Not Prescribed except TRL	To Prescribe
6. Possession of two passports	Prescribed Para 13(ii)	Prescribed	Prescribed	Not Proposed
7. Withdrawal of a finished (full) passport	Prescribed Para 14	Not Prescribed	Prescribed*	Agreed *
8. Supplementary pages	Prohibited Para 18	Prescribed	Prohibited*	Agreed *
9. Married women				
10. Certificates for children	Prescribed Para 37	Not Prescribed	Prescribed*	Agreed *
11. Collective travel documents	Nominal Roll Para 62	Collective Passports	Nominal Roll	To be Discussed

RESTRICTED

24 July 1950 OTC/CTB/P(50) 161

Texte Francais joint.

COMBINED TRAVEL BOARD

Subject: TRANSFER TO THE FEDERAL GOVERNMENT OF OPERATIONAL RESPONSIBILITY FOR TRAVEL CONTROL.

1. The object of this paper is to place all documents and decisions on the above mentioned subject which have been taken since the last meeting of The Board before the Directors-General for information.

It should be read in conjunction with and as a continuation of documents OTC/CTB/P(50) 149 and OTC/CTB/P(50) 154.

2. The new documents are:-

a) a letter from the Federal Chancery circulated under reference AGSEC (50) 1437.

This letter is a reply to a communication from the Allied General Secretariat (reference AGSEC (50) 1289, circulated under reference OTC/CTB/P (50) 149.

b) Decision 633 (b) of the Political Affairs Committee, taken at its 33rd. meeting, held on 7 July 1950.

This decision is an amendment to POL conclusion 612 (c) of the preceeding Minutes of this Committee, circulated as an annexe to OTC/CTB/P (50) 154.

c) Political Affairs Committee conclusion and decision 634 (vi) taken at the same meeting.

3. The three above mentioned documents are annexed herewith and will be submitted for consideration by The Board at its next meeting.

Secretary to the Board

J. DIJON

CTB/202/1.

Copy to: CTB/509

Annexe to :
OTC/CFS/P(50)161
AGSC(50)1437

ALLIED HIGH COMMISSION FOR GERMANY

ALLIED GENERAL SECRETARIAT

10 July 1950

To : Duty Secretary,
Political Affairs Committee.

Subject: Transfer to the Federal Government of Operational Responsibilities for Travel Control

1. The attached letter dated 4 July 1950 from the Office of the Federal Chancellor is forwarded to your Committee.

2. It is understood that this letter was considered at the meeting of your Committee on 7 July 1950, and referred to its Working Party on t is subject.

sgd. [illegible]
Secretary General

Enclosure: Chancellery letter
reference 6600/5902/50 dated 4 July 1950

(37)

TRANSLATION

(Dr/813/50/VR/)

Annexe to :
OTC/CTF/(50)161

Annexe to :
FGSC(50)1437

OFFICE OF THE FEDERAL CHANCELLOR
FOREIGN AFFAIRS SECTION

BONN, 4 July, 1950

(Rec'd in AGS: 6 July, 1950)

8600/5902/50

Mr. L. Wandley-Derry,
Secretary-General of the
Allied High Commission,
Bonn-Petersberg

Sir,

I have the honour to acknowledge receipt of your letter of 23 June, 1950 - FGSC(50)1[illegible] - concerning the transfer of responsibility for the issue of passports and visas to the German Consulates and to comment on it as follows :-

I - Issue of Passports

The Federal Government took note of the fact that the Allied High Commission raises no objections to the three German Consulates General in London, New York and Paris issuing passports to German nationals under their jurisdiction as soon as they are able to do so, proceeding in accordance with the provisions of the Passport Ordinance of 10 June, 1919 (RGBl. Page 516) and the Public Notice on Passports of 7 May, 1932 (RGBl. I page 257) insofar as these provisions do not conflict with the policy directions of the Allied High Commission. I shall inform the Allied High Commission in each case of the date on which the individual Consulate General will be in a position to issue passports, samples of which have been submitted to the Allied High Commission with letter of 19 June, 1950 - 8600/5[illegible]/50. Considering the present stage reached in the preparations, it can be expected that this will be towards the beginning of August.

II - Visas

As long as visas for entering Germany are still necessary, the Federal Government would welcome it if the German Consulates could take over the issue of visas as soon as possible.

As regards the request of the Allied High Commission to receive a reply to the Memorandum of [illegible] April, 1950, of the Political Affairs Committee of the Allied High Commission before transferring to German agencies responsibility for the issue of visas, I should like to refer to the letter of 29 June, 1950 - 8600/5[illegible]/50.

Apart from what was said in that letter it would appear practicable to separate the question of transfer of responsibility to German consulates abroad for the issue of visas from the question of

(36)

[illegible]

Annexe to :
OTC/CTB/M(50)161

Annexe to :
[illegible] C(50)1437

/the transfer of functions to German agencies at home in the field of passports and visas. Insofar as the issue of visas by German Consulates abroad is concerned, the Federal authority which would guide and supervise the functions of the Consulates and which is to take over the functions previously exercised by the Combined Travel Board, as desired by the Allied High Commission, has already been established. The central control and supervision of activities of the Consulates in issuing visas is a matter which concerns the Foreign Affairs Section of the Office of the Federal Chancellor to which the Consulates are functionally subordinate. It would appear that on this point there was agreement between the representatives of the Political Affairs Committee of the Allied High Commission and the representatives of the Federal Government during the discussions of 14 April, 1950.

There would, therefore, only remain to be clarified the powers of control and inspection which the Allied High Commission regards as an indispensible condition for the transfer of responsibility to the German Consulates for the issue of visas. The Federal Government shall be pleased to send experts to the technical discussions on these questions which were suggested by the Allied High Commission and nominates

Herr Dr. Gert Weiz,
Herr Gustav Rödiger and
Herr Dr. Gerhard Stahlberg

all of whom are with the Foreign Affairs Section of the Office of the Federal Chancellor.

Accept, Sir, the renewed assurance of my highest consideration.

(sgd.) [illegible]
Acting

: [illegible] :
: VRF for Dr. [illegible] :
: CC for [illegible] :

[illegible]

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RESTRICTED

Annexe to :
OTC/CTE/M(50)161

Extract from IOP/M(50)23
Item 633

633. COMPILATION OF THE LIST OF THE THIRTY-SECOND MEETING

THE COMMITTEE :

(633) . . . . . .

(b) Conclusion 612(c), substitution of the following text :

"(a) instructed the Working Party on Travel Control

(1) to consult CTE experts and to make recommendations to the Committee regarding the territorial validity of German passports;

(2) to consider what arrangements should be made for the continued issue of travel documents in countries where there would be no German Consuls".

(34)

R E S T R I C T E D

Annexe to :
OTC/CTE/P(50)161

Extract from PO/ (50)23
Item 634

634. POINTS ARISING FROM PREVIOUS MEETINGS

"(vi) Transfer to the Federal Government of Operational Responsibility for Travel Control (PO/ (50)22 -

Conclusion 612 (n) and (p)

THE COMMITTEE :

(634) (1) agreed

(1) that a German Consul established in a country other than the countries of the three Occupying Powers might issue a passport to a German national resident in that country provided that the applicant's name was not contained in the black-list, on condition that the Consul subsequently communicated to the CTE lists of the persons to whom he had issued passports;

(2) that the black-list communicated to the German authorities for transmission to German Consuls abroad would be liable to continuous amendment by deletion or addition at the request of any one of the Occupying Powers on the conditions specified in Conclusion 603(p)(2) as amended by Conclusion 633(a) above;

(3) that, until receipt of the black-list, German Consuls in these countries might not without prior reference to the Combined Travel Board issue passports to German nationals, except to those who had already held a Combined Travel Board travel document or local document issued by the Combined Travel Board;

(4) that, having regard to the fact that the terms of the letter to the Federal Chancellor on this subject authorised German Consuls-General in London, Paris and New York to issue passports to German nationals, as soon as they were in a position to do so, and to the likelihood that the final black-list to be communicated to the German Consuls would not be ready for several weeks, the Combined Travel Board should be instructed to request the Military Permit Offices in these three cities to draw up in con-

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RESTRICTED

- 2 -

Annexe to :
OTC/CTT/P(50)161

Extract from FOI/P(50)23
Item 634

/consultation with the national authorities concerned a short list of German nationals resident in Great Britain, France and the United States of America to whom German passports should not be issued, and to communicate the appropriate list to each of these German Consuls-General on behalf of the Allied High Commission as soon as possible.

(5) that the Federal authorities must be informed, when the concession in (3) above was conveyed to them, that they would have to be prepared to withdraw a passport from any German national if his name were subsequently to be placed on the black-list;

(6) that a German Consul should only be empowered to grant a passport to a German national normally resident in a country where no German Consul was established if the applicant already held a Combined Travel Board travel document or a local document issued by the Combined Travel Board, and that the case must otherwise be referred to the Combined Travel Board;

(7) that the question of the visa issuing powers of German Consuls should be discussed again at the next meeting;

(m) noted

(1) that the French Member withdrew his draft paper for submission to the Council,

(2) that the U.S. Member withdrew his reservations to the communication to German Consuls abroad of the black-list;

(n) instructed the Secretariat

(1) to inform the Combined Travel Board and the Working Party on Travel Control of the above decisions;

(2) to request the latter to inform the Federal Authorities of these decisions in the course of its contacts with them and to make all steps within its power to accelerate transmission of the black-list to the German authorities, mentioning that the Military

/Permit

Annexe to:
CTO/CT/M(50)161

Extract from PO1/M(50)23
Item 634

/Permit Offices in London, Paris and New York would be transmitting to German Consuls-General in these cities, on behalf of the Combined Travel Board, a provisional list of German nationals to whom passports would not be issued, whilst the final black-list was in course of preparation;"

20th July 1950. OTC/CTB/P(50)166.

Texte francais joint.

COMBINED TRAVEL BOARD

TRANSFER TO THE GERMAN AUTHORITIES OF RESPONSIBILITIES IN CONNECTION WITH TRAVEL.

(Note by Secretariat).

1. In the attached paper, OTC/CTB/LEG(50)18, the Legal Adviser draws attention to certain information which he has recently gathered concerning the above question. He desires that a meeting should be held with the German Delegation between 26th and 29th July 1950 in order to discuss the points which he raises.

2. This paper will be considered by the Board at its next Meeting.

Secretary to the Board.

CTB/202/1.

19 July 1950

Annexe to :
OTC/CTB/P(50)166
OTC/CTB/LEG(50)18

COMBINED TRAVEL BOARD

SUBJECT : Transfer of Responsibility in Matters concerning Travel to German Authorities

1. The Legal Adviser to The Board has assembled various information which he considers necessary to bring to the notice of The Board :

- An instruction which comprises 17 pages for distribution to German Consuls has been prepared by the German Chancery staff (Herr von STAHLBERG, in liaison with the German Ministry of the Interior, and Herr von WOLFF).

  This is a draft which should not be considered as final but the Head of the Consular Service is now in agreement to communicate this instruction to the Combined Travel Board in its present form.

- Consequently, it appears convenient to take advantage of the next visits of the German experts who are dealing with the question of visas and who were designated by Chancery letter dated 4th July, 1950. A primary study of this instruction could be undertaken with them. It is anticipated that a copy of this instruction will be received in the near future.

2. The problem of German nationality seems to have been somewhat neglected on the German side.

It appears to me, however, that this question should be clarified before the Consuls take over their functions: it is indispensible that they should be in a position to know what individuals they may accept as authentic German Nationals.

Consequently, the instruction which is to be distributed to the Consuls should give some indications on this point and reference should be made in the instruction to other specific instructions which, it appears, still remain to be drawn up.

In these conditions, the Legal Adviser wonders if any of the outstanding problems in respect of German nationality which have not yet been definitely settled will not cause some delay in the commencement of Consular functions. It is suggested, therefore, that the Chairman should inform the German authorities of our pre-occupation on this point and that the German authorities should designate experts who would come to Herford with a view to studying mutually the practical difficulties which have been encountered up to the present in this connection and that, as a result, an instruction should be drawn up with a view to overcoming these difficulties.

A draft letter for this purpose, addressed to Herr von WOLFF, is annexed herewith.

The Legal Adviser considers it convenient that the primary contact with German experts should be made at a meeting to be held in Herford from 26th to 29th July and it is consequently requested that the matter be considered as urgent.

Annexe to :

Texte francais joint

OTC/CTB/LEG(50)1

Draft of a Letter to be addressed to
the Federal Government of Germany

(for the attention of Herr von WOLFF)

Sir,

In connection with the interviews which took place on 12th July, 1950, between yourself and the Legal Adviser of the Combined Travel Board, it now appears to me necessary to emphasise a problem to which an urgent solution must be found.

1. In the instructions which are to be circulated to the German Consuls generally, and in connection with which you have already been requested to prepare a text, it now appears necessary that some indications should be contained therein in respect of the regulations which are to be applied in order to decide if any individual claiming German nationality is to be recognised as duly possessing such status.

You have already been informed that the question of German nationality gives rise, in practice, to several problems.

The Combined Travel Board would, therefore, appreciate the opportunity of enabling the German officials who will deal with these questions to have the benefit of its own practical experience in this connection. This would have the advantage of enabling them to settle, by means of general directives, many delicate problems which are at present arising.

2. It is probable that the solution to these various problems of nationality will require some considerable time. However, it is important that German Consuls should, on taking over their functions, be in possession of the essential directives required for the fulfillment of their tasks. Such directives could well take the form of administrative instructions and reference to such instructions could be made in the general instruction now in course of preparation.

3. I am, therefore, requested to ask you to designate the German experts who will be competent, on the one hand, to decide, con-jointly with the Combined Travel Board in Herford, the practical difficulties which arise daily on questions of nationality and, on the other hand, to prepare draft instructions on these matters, and finally, a draft Law.

It is proposed that these experts, as designated by you, should be convened to a meeting to be held in Herford from 27th to 29th July, 1950.

C O N F I D E N T I E L

12 juillet 1950 POL/Sec(50)198

HAUTE COMMISSION ALLIEE

COMITE DES AFFAIRES POLITIQUES

Secrétariat

DESTINATAIRE : Monsieur le Président du Groupe de Travail sur le Contrôle de la Circulation

O B J E T : Transfert au Gouvernement Fédéral des responsabilités en matière de contrôle de la circulation.

Les documents AGSEC(50)1427 et AGSEC(50)1437, reproduisant deux lettres de la Chancellerie Fédérale relatives à l'objet précité, sont adressés à votre Groupe de Travail pour information, en liaison avec les questions que ce derhier aurait à discuter avec les Autorités Fédérales sur ce sujet.

O.T.L. STEGER
Secrétaire en exercice

-Copie à : Office Tripartite de la Circulation.

20 JUIL 1950 CTB

C O N F I D E N T I E L

~~200~~ (14)

20th July 1950. CTC/CTB/P(50)169.

Texte francais joint

COMBINED TRAVEL BOARD

Notes of a Conference held in HERFORD on
12th July 1950 with German Experts.

1. Attached are notes of a Conference as indicated above. These notes are presented to the Board at the request of the Chairman/Director General.

2. This paper will be submitted to the Board for information at its next meeting.

Secretary to the Board.

CTB/202/1

Copy to: File CTB/509
CTB/262

(13)

Annexe to:
OTC/CTB/P(50)169.
OTC/CTB/DIR(50)14.

Notes of a Conference held in HERFORD on
12 July 1950, with German Experts.

SUBJECT: Primary Legal Questions arising before the Transfer of Powers in matters concerning Travel, to the German Authorities.

There were present :

Combined Travel Board :	M. RUBY Mr. ERDOES Mr. WEINBERG M. v. STOLZMANN
German Experts :	Frh. v. WOLFF Frh. v. MAHS
Secretariat :	Mlle VALENTIN Mrs. MILLER.

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1. The first question considered was that in respect of the determination of German nationality within the Federal Republic of Germany and abroad.

1 - The Federal Government considers itself competent in respect of all persons possessing German nationality in accordance with the terms of Article 116 of the Basic Law.

2 - In these conditions German nationality remains as determined by the Law of 1913 and by the legislation already applied by the Combined Travel Board.

3 - Consuls abroad will undoubtedly be authorised to deal with all German nationals and this will entail some amendment to Combined Travel Board Instruction No. 75.

4 - In general, the Federal Government does not wish to apply revised legislation in respect of nationalities in order not to accentuate the division of Germany into two parts.

5 - It was therefore only proposed to complete present legislation by administrative instructions which would enable a solution to be found to certain practical difficulties encountered at the present time and also, in certain limited cases, to design legislation on particular points.

6 - The fact that the Federal Government may restore former Laender nationalities was not excluded.

Conclusion

In these conditions it will be necessary to set up a Working Party which will include German Legal Experts to deal with this question. The tasks of the Working Party will be :

(a) to consider the administrative instructions which will be necessary to arrive at uniformity in practice in dealing with questions of nationality,

(b) to examine questions which necessitate a Law in order to arrive at a solution and to consider the text of this legislation.

II. The second question dealt with was that concerning legislation for the issue of passports.

1 - The Federal Government considers that a distinction should be made between the regulations to be applied by Consuls abroad and the regulations applicable within the Federal Republic.

2 - In the first case, most of the problems must be solved by administrative instructions, unless it is really necessary to act contrarily to former texts.

3 - In the second case, the drawing up of texts of Laws should be considered for reasons concerning the Constitution.

4 - It will be necessary for the Allied Authorities primarily to transfer powers by amending any Allied texts which may be in opposition.

5 - The Federal Government could, as a temporary measure, apply the former texts at the same time as it abrogates the prescriptions which were introduced during the period of hostilities.

6 - The Consuls will then be authorised to carry out their mission in accordance with the administrative instructions indicated in para 2 above.

7 - Nevertheless, the former texts will require amendment in order to take into account the changed circumstances. With this object, the Federal Government is preparing legislation which will deal with questions of procedure and with questions of the organisation of the services at the same time, and which will be promulgated at a later date.

Conclusion.

Consequently, it is necessary to set up a Working Party for this legislation also. Its tasks will be :

(a) to draft administrative instructions which may be circulated to the German Consuls,

(b) to harmonise Allied regulations with the German regulations in the light of the Law of 1932,

(c) to determine whether this harmonisation will make it necessary to publish certain legislative prescriptions if the proposed instructions should be found to be contrary to the former German Laws provisionally applicable as the basis for Consular procedure,

(d) subsequently, this Working Party must proceed to examine the revised legislation in the same manner.

III. It is stressed that Federal Government legislation prescribes the setting up of an Allied Passport and special documentation for Bargees and other special categories of travellers.

IV. The organisation of passport issuing services and passport control services is a question which must be first discussed with the administrative authorities. In view of the fact that the legislative texts which designate these services are included in the general texts concerning passports, this question will have to be considered by the Combined Travel Board before being submitted to the Allied High Commission.

General Conclusion.

It is, therefore, proposed to set up two Working Parties, one to consider the question of nationality and the other the question of passport legislation.

It is pointed out that these questions will be the object of study by the experts and the Combined Travel Board together, before the texts are submitted to the Allied High Commission through normal channels.

CONFIDENTIAL

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July 8, 1950.

TO : Office of the United States High Commissioner
for Germany,
Office of Political Affairs,
APO 757, U.S. Army,
ATTENTION: Travel Control Division
for Mr. Benton.

FROM : Juan J. Chenard,
Director General (U.S.),
Combined Travel Board,
Via HICOG Courier,
APO 757, U.S. Army.

SUBJECT: Transmission of Cable.

Attention is invited to confidential cable CN 30202, dated July 4, 1950, which was erroneously routed to the Combined Travel Board for action.

It is believed that the cable under reference is of interest to Mr. Gufler's office.

Copy to:

USHICOG, Foreign Relations Division
for Mr. B. A. Gufler.

CONFIDENTIAL

The Chancery,
Office of the U.K. High Commissioner,
Wahnerheide,
BAOR 19

15th May, 1950

105/7/25/50

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Then we discussed with you last week the procedure for notifying and approving changes in consular representation in the British Zone, I promised to let you have a written confirmation of what we had agreed.

Although the first notification of a change should be received by you, in the case of heads of posts, and by our Allied Liaison Branch in the case of subordinate officials and staff, there have been occasions when the CTB's Permit Officer, or Chancery have been the first to hear of the proposal. We are, I think, now agreed that the office which receives the intimation of a change is to inform the other three as soon as possible, and that, in all cases where there is little likelihood of official disapproval, the Allied Liaison Branch and the Combined Travel Board may go ahead with the necessary administrative arrangements without awaiting the formal notification of approval from you or (for subordinate staff) Chancery.

To my mind, the "channels" will therefore be somewhat as follows:

(a) When you receive notification of a change in consular representation, you will, if the Head of a post is affected, follow your usual clearance procedure either through the Political Affairs Committee or by interim action, at the same time informing ALB and CTB that the application has been received, and sending them, in due course, an advance copy of your letter of approval (the mimeographed [illegible] is sufficient for Chancery).

If the change does not affect the head of a post, you will notify us, ALB and CTB, and, after clearance, we shall inform you for the record that we have (via ALB) approved the change.

(b) If the notification is received in the first place by us, ALB or CTB, it will be passed to you (via Chancery), if the change is one requiring your tripartite clearance, and you will again pass copies of your letter of approval to ALB and CTB. We shall only notify you for the record of changes in subordinate officials and staff about which we hear, when we approve them unilaterally through ALB.

You will recall that CTB have promised to instruct their Permit Officers not to refuse entry visas to consuls and consular staff who apply before official notification has been received from their governments, but to check the bona fides of the applicant with the Ministry for Foreign Affairs, and then (in the case of friendly countries) issue an entry visa as if he were a duly recognised consul. They should, of course, inform you or us, and ALB that they have done so. This will, we hope, avoid a repetition of the unfortunate incident that occurred recently in Paris.

/I am

W.F.Schott Esq.,
Tripartite Liaison and Protocol Section,
Allied High Commission,
Petersberg.

Noted

MF.

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I am sending copies of this letter to Langon of ALE and Rose of CTB, and if you have any further comments, should be grateful if you would let them have copies too.

A. G. PADGETT

TRANSLATION.

REPRESENTATIONS ABROAD IN ERECTION

Preparing the reconstruction of diplomatic representations (from an internal-politics contributor)

In addition to the three General consulates at Washington, Paris and London as already told, there will be within the next three months 40 to 42 German consulates in other countries. The denomination "consulate" is somewhat misleading, as the High Commission made two very important reservations on the permission for the erection of representations abroad.

1) The German official representations are not allowed to have the similar rights as legations and embassies, nor may they claim such rights. They will not have the full status of rights as the consulates of other powers.

2) The German Federal Republic may not claim any rights on the confiscated or already sold buildings and premises of the German state situated abroad.

DIFFICULT START.

Bonn will have to spend a lot of money in order to establish their representations and to furnish them with the most necessary equipment. Several states, however, showed already that they are willing to respect the German properties abroad and to restitute them for the diplomatic representations. In other countries it is expected that they come to an agreement in order to come to a formal rent. All told, the start of the first German representation abroad will be very difficult.

TRAINING OF APPLICANTS.

Meanwhile the "Organisation Office for Consular and Economic representations abraod" something similar to the former working method of a section of the German Foreign Office. It is directed by the State Councillor of Bremen Dr. Haas, a former member of the Foreign Office, who quitted service in 1939 and will get the rank of a "Director of Ministry" (Ministerialdirektor) now. Three "Ministerial Councillors" (Ministerialrat) and seven "Super-Governmental Councillors" (Oberregierungsrate) will be available for the erection of the three first General-consulates and the forty consulates.

In former days the German Reich had 170 representations abroad. Now the erection of German representations is not possible in all countries. We have only to consider the East and South-West and besides this the other countries in which the Western Powers do not wish to see us represented. But anyhow a considerable

apparatus is under construction as far as personnel is concerned. The filos, the archives and bibliothec of the former Foreign Office are missing. Everything has to be started again. The menory of still living officials have to aid in the individual cases. The furnishing of foreign currency for the representations, the extra-payment system, the training of economical specialists, who have to get well acquainted with the economy of the country in question, this all requires special organisation expenses. Naturally the special interest is pointed to the methods of selection and training of specialists for the new German diplomatic service. The officials, the middle-class services f.i. the consular secretaries up to the chancellors of general consulates, will in principle be taken out of the special trained officials of the other state and community offices, if they have acquired the knowledge of at least two foreign languages.

RESEARCH OF EXTERNAL POLITICAL AFFAIRS.

For the diplomatic service a special department has been erected recently within the Federal Chancellors-Office for the "training of applicants in service abroad." In courses during 4 - 5 months 25 - 30 applicants will be trained in the vicinity of Bonn. They live in community and have their living free of costs and get besides this an extra rate for expenses on a social scale. Specialists far above the average will be selected for the training of these especially linguistically qualified applicants of all branches (not only juridical) as it has been formerly in an extraordinary extent with the training Foreign Office "attachés". The directorate of this training lays in the hands of the former Consul General Dr. Peter Pfeiffer. These last days the Federal Chancellor gave a decision regarding the internal implementation of this office, which will be similar to that of a future Foreign Office. Besides the organisation department under Min-Director Dr, Haas a juridical-section, a political section, and an economic section and on a small scale a cultural section will be erected. The greatest part of the section V. of the Federal Ministry of economics will be incorporated. The German Office for peace questions, which is now kept busy with special questions, f.i. all questions arising from the liquidation of the war status of the Western Powers with the Federal Republic, will not be absorbed. Eventually its remodelling in a research office for foreign affairs will be considered. Surely the English Chatham House, well known arround the world, is viewed as an excellant example. But it is not at all quite clear from which side the necessary funds for this research work will be procured.

Noted 7 Feb

- C O N F I D E N T I E L -

OFFICE TRIPARTITE DE LA CIRCULATION

27 Janvier 1950 OTC/CTB/CAB/Memo (50) 2

Destinataires : Diffusion du Conseil.

Il vous est adressé ci-dessous, pour information, copie du document AGSEC (50) 54, relatif à la désignation de représentants allemands pour discuter la question de la représentation consulaire et commerciale allemande à l'étranger.

Le Chef de Cabinet,

I4 Janvier I950 AGSEC (50) 54

HAUTE COMMISSION ALLIEE EN ALLEMAGNE

Secrétariat Général Allié

DESTINATAIRE : Monsieur le Président du Comité des Affaires Politiques
(à l'attention du Secrétaire en Exercice)

OBJET : Désignation de représentants allemands pour discuter la question de la représentation consulaire et commerciale allemande à l'étranger.

Comme suite à l'AGSEC (49) 304 en date du I3 Décembre I949, le Chancelier Fédéral a fait parvenir la lettre ci-jointe désignant Monsieur BLANKENHORN et le Dr HAAS, en tant que représentants allemands chargés de discuter avec des représentants de votre Comité la question de la représentation Consulaire et Commerciale allemande à l'étranger.

L. HANDLEY-DERRY
Secrétaire Général

P.J. au destinataire seulement

- C O N F I D E N T I E L -

R E S T R I C T E D

COMBINED TRAVEL BOARD

27 January, 1950 OTC/CTB/CAB/Memo(50) 2

To : Board Distribution

Attached below for information is a copy of the paper AGSEC(50)4 on the subject of nomination of German representatives to discuss the question of German consular and commercial representation abroad.

Secretary to the Board

J.DIJON

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14 January, 1950 AGSEC(50)4

ALLIED HIGH COMMISSION FOR GERMANY

Allied General Secretariat

To: The Chairman of the Political Affairs Committee, (Attention: Duty Secretary)

Subject: Nomination of German representatives to discuss the question of German consular and commercial representation abroad.

Following AGSEC(49)304 dated 13th December, 1949 the Federal Chancellor has forwarded the attached letter nominating Herr BLANKENHORN and Dr. HAAS as German representatives charged to discuss with representatives of your Committee the question of German Consular and Commercial representation abroad.

(sgd) L. HANDLEY DERRY
Secretary General

Enclosure to addressee only.

R E S T R I C T E D

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